

THE DEBATES  
OF THE  
HOUSE OF DEPUTIES  
IN THE  
GENERAL CONVENTION.  
1868.

*Library of the Theological Seminary,*

PRINCETON, N. J.

*Presented by Rev. A. A. Baker - 1853*

Division.....*BX.F.220*.....

Section .....*A2*.....

Shelf.....

Number.....*1868*.....











THE DEBATES  
OF THE  
HOUSE OF CLERICAL AND LAY DELEGATES  
IN THE GENERAL CONVENTION OF THE  
✓ PROTESTANT EPISCOPAL CHURCH,

UNITED STATES OF AMERICA,  
*From 1868 to 1869, 1869*

HELD IN THE CITY OF NEW YORK,

1868,

AS REPORTED FOR "THE CHURCHMAN" BY

ANDREW J. GRAHAM.

HARTFORD:  
CHURCH PRESS COMPANY  
1868.





## CORRIGENDA.

Page 8—In every instance for "Mr. Gadsden of South Carolina," read "Rev. Chas. Breck of Delaware."

Page 67—Fifth paragraph of report, 2d line, for "wild," read "wide"; last line but one, strike out the word "filthy."

Page 98—After "Rev. Hiram W. Beers offered," for "second resolution," read "last resolution"; and for "a deputy from New Hampshire," read "the Rev. J. F. Spaulding of Pittsburgh."

Page 104—For "Mr. Thomas B. Lawson of Louisiana," read "Rev. C. C. Pinckney of South Carolina"; Rev. C. C. Pinckney, 33d line, last word "the" should be omitted.

Page 118—Rev. Dr. Mulchahey, 2d line, for "assenting," read "not assenting."

Page 128—Rev. Dr. Goodwin (first speech), for "Eastern dioceses," read "Eastern diocese."

Page 134—Rev. Dr. Beardsley, 12th line, for "parish," read "township."

Page 136—Rev. Dr. Goodwin, 23d line, for "supremacy of," read "supremacy or"; line 34, for "simple," read "some."

Page 144—Rev. Dr. Goodwin, 2d line, for "*or* priest," read "*a* priest"; 8th line, at end, for "to be," read "to determine"; 21st line, after "guilty," add "by a majority"; 23d line, after "United States," add "by the dictum of three presbyters out of five."

Page 152—Bottom of 2d column, Rev. Dr. Hubbard should be made to say, "We have already referred to that

committee the whole subject of the *proper* pointing of the Book of Common Prayer, and also the restoration of words left out by mere clerical error, with instructions to report on them to the next Convention."

Page 155—Rev. Dr. Haight, 4th line, for "dioceses," read "divorces."

Page 155—Rev. Dr. Goodwin, 9th line, for "law," read "Divine law."

Page 157—In resolution offered by the Rev. James A. Harrold, 2d line, for "propose," read "prepare"; last line, for "should reverse the Sectionary," read "be requested to revise the Lectionary."

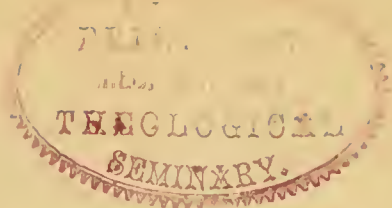
Page 157—Rev. James A. Harrold, 12th line, for "initiation," read "initiative"; 9th line from bottom of second column, for "duly," read "daily."

Page 159—8th line, 1st column, for "whereas morning," read "whereas the order for daily morning."

Page 166—Rev. Dr. Goodwin, in 3d line, for "declined," read "disclaimed"; in 5th line, for "authorize," read "recommend"; in 7th line, for "authorize the," read "endorse their"; in 23d line, for "that," read "in saying that."

Page 174—21st line, for "Archbishop Cranmer," read "King Henry the 8th."

Page 176—1st column, in 8th line, for "the misrepresentation is," read "there is a misrepresentation"; in 9th line, for "this is," read, "these resolutions of the minority are"; in 18th line, for "considerable," read "an excessive ritualism"; in 27th line, for "in," read "and."



## PROCEEDINGS OF THE CONVENTION.

### A LIST OF THE MEMBERS OF THE HOUSE OF CLERICAL AND LAY DEPUTIES OF THE GENERAL CONVENTION OF 1868.

#### CLERICAL DEPUTIES.

##### *Alabama.*

Rev. John M. Mitchell,  
" John M. Banister,  
" Francis R. Hanson,  
" Henry N. Pierce, D. D.

##### *California.*

Rev. Christopher B. Wyatt,  
" Thos. W. Brotherton,  
" Elias Birdsall,  
" Densmore D. Chapin.

##### *Connecticut.*

Rev. Wm. C. Mead, D. D.,  
" E. E. Beardsley, D. D.,  
" R. A. Hallam, D. D.,  
" J. L. Clark, D. D.

##### *Delaware.*

Rev. Charles Breck,  
" J. B. Clemson, D. D.,  
" J. Leighton McKim,  
" T. Gardiner Littell.

##### *Florida.*

Rev. J. Jackson Scott, D. D.,  
" W. Trebell Saunders,  
" James A. Harrold,  
" Francis R. Starr.

##### *Georgia.*

Rev. William H. Clarke,  
" Wm. C. Williams,  
" Samuel Benedict,  
" H. Kollock Rees.

##### *Illinois.*

Rev. Clinton Locke, D. D.,  
" Warren H. Roberts,  
" J. H. Rylance, D. D.,  
" Sidney Corbett,

##### *Indiana.*

Rev. Thomas M. Martin,  
" H. Stringfellow, Jr.,  
" Wm. H. Carter, LL. D.,  
" William Lusk, Jr.

##### *Iowa.*

Rev. Isaac P. Labagh,  
" George W. Watson,  
" Richard L. Ganter,  
" H. N. Powers, D. D.

##### *Kansas.*

Rev. Archibald Beatty,  
" Charles Reynolds, D. D.,  
" John Bakewell,  
" J. Mills Kendrick.

##### *Kentucky.*

Rev. J. N. Norton, D. D.,  
" James Craik, D. D.,  
" J. S. Shipman,  
" Edmund T. Perkins.

#### LAY DEPUTIES.

##### *Alabama.*

Mr. Henry A. Schroeder,  
" N. H. R. Dawson,  
" John D. Phelan,  
" George A. Gordon.

##### *California.*

Mr. H. T. Graves,  
" B. H. Randolph,  
" J. W. Hammond,  
" Daniel S. Turner.

##### *Connecticut.*

Mr. Wm. Samuel Johnson,  
" O. S. Seymour, LL. D.,  
" Charles A. Lewis,  
" Andrew L. Kidston.

##### *Delaware.*

Mr. William T. Read,  
" Franklin Fell,  
" James Brown,  
" S. Minot Curtis.

##### *Florida.*

Mr. Robert Walker,  
" Daniel S. Oakley,  
" Columbus Drew,  
" D. C. Dawkins.

##### *Georgia.*

Mr. L. N. Whittle,  
" W. S. Bogart,  
" R. D. Moore, M. D.,  
" H. M. Anderson.

##### *Illinois.*

Mr. George P. Lee,  
" L. B. Otis,  
" Daniel W. Page,  
" Samuel H. Treat.

##### *Indiana.*

Mr. J. S. Irwin, M. D.,  
" Wm. H. Morrison,  
" John B. Howe,  
" Morris S. Johnson.

##### *Iowa.*

Mr. George Greene,  
" John Hodgdon,  
" James Armstrong,  
" William F. Ross.

##### *Kansas.*

Mr. William H. Canfield,  
" E. M. Bartholow,  
" Ambrose Todd,  
" C. C. Parsons.

##### *Kentucky.*

Mr. J. W. Stevenson,  
" Wm. Cornwall,  
" S. B. Churchill,  
" A. H. Churchill.

##### *Louisiana.*

Rev. Thos. B. Lawson,  
" Wm. F. Adams,  
" T. R. B. Trader,  
" J. F. Girault.

##### *Maine.*

Rev. Ed. Ballard, D. D.,  
" Daniel Goodwin,  
" William P. Tucker,  
" Edward A. Bradley.

##### *Maryland.*

Rev. Wm. Pinkney, D. D.,  
" Milo Mahan, D. D.,  
" John Crosdale,  
" Erastus F. Dashiell.

##### *Massachusetts.*

Rev. F. D. Huntington, D. D.,  
" S. P. Parker, D. D.,  
" J. Mulchahey, D. D.,  
" Wm. H. Mills.

##### *Michigan.*

Rev. G. D. Gillespie,  
" J. P. Tustin, D. D.,  
" B. H. Paddock, D. D.,  
" Thos. C. Pitkin, D. D.

##### *Minnesota.*

Rev. S. Y. McMasters, D. D.,  
" S. W. Munney, D. D.,  
" D. B. Knickerbacker,  
" Edward R. Welles, D. D.

##### *Mississippi.*

Rev. James J. Pickett,  
" Wm. C. Crane, D. D.,  
" Henry Sanson, D. D.,  
" C. B. Dana, D. D.

##### *Missouri.*

Rev. E. F. Berkley, D. D.,  
" W. B. Corby, D. D.,  
" F. B. Scheetz,  
" E. C. Hutchinson, D. D.,

##### *Nebraska.*

Rev. John G. Gasmann,  
" George C. Betts,  
" Charles H. Rice,  
" Samuel D. Hinman.

##### *New Hampshire.*

Rev. L. G. Hubbard, D. D.,  
" J. H. Eames, D. D.,  
" C. Ingles Chapin,  
" Francis Chase.

##### *New Jersey.*

Rev. A. Stubbs, D. D.,  
" J. S. B. Hodges, D. D.,  
" R. M. Abercrombie, D. D.,  
" Spencer M. Rice.

##### *New York.*

Rev. B. I. Haight, D. D.,  
" A. N. Littlejohn, D. D.,  
" Wm. Payne, D. D.,  
" Samuel Cooke, D. D.

##### *Louisiana.*

Mr. P. Lansdale Cox,  
" Robert Mott,  
" George S. Lacey,  
" J. H. Keep.

##### *Maine.*

Mr. James Bridge,  
" Henry Ingalls,  
" G. E. B. Jackson,  
" Robert H. Gardiner.

##### *Maryland.*

Mr. Wm. G. Harrison,  
" Daniel M. Henry,  
" Wm. S. Walker,  
" Fred. W. Brune.

##### *Massachusetts.*

Mr. Amos A. Lawrence,  
" B. R. Curtis, LL. D.,  
" John B. Stebbins,  
" Dr. G. C. Shattuck.

##### *Michigan.*

Mr. Henry A. Hayden,  
" C. C. Trowbridge,  
" Peter E. Demill,  
" W. N. Carpenter.

##### *Minnesota.*

Mr. Eli T. Wilder,  
" Lorenzo Allis,  
" Isaac Atwater,  
" Isaac G. Cummins.

##### *Mississippi.*

Mr. John Dunan,  
" Wm. T. Balfour, M. D.,  
" T. E. B. Pegues,  
" Claudius W. Sears.

##### *Missouri.*

Mr. H. I. Bodley,  
" George H. Gill,  
" John T. Douglass,  
" William Wallace.

##### *Nebraska.*

Mr. J. M. Woolworth,  
" Julian Metcalf,  
" T. S. Clarkson,  
" J. W. Van Nostrand.

##### *New Hampshire.*

Mr. Charles A. Tufts,  
" Wm. P. Wheeler,  
" Arnold Briggs,  
" Albert N. Hatch.

##### *New Jersey.*

Mr. J. H. Thompson, M. D.,  
" J. C. Garthwaite,  
" R. S. Conover,  
" Henry Meigs, Jr.

##### *New York.*

Mr. S. B. Ruggles, LL. D.,  
" Hamilton Fish, LL. D.,  
" Orlando Meads,  
" H. E. Pierrepont.



*North Carolina.*

Rev. R. S. Mason, D. D.,  
 " A. A. Watson, D. D.,  
 " J. B. Cheshire, D. D.,  
 " F. M. Hubbard, D. D.

*North Carolina.*

Mr. W. H. Battle, LL. D.,  
 " Richard H. Smith,  
 " A. J. De Rossett,  
 " Robert Strange.

*Ohio.*

Rev. Erastus Burr, D. D.,  
 " Samuel Clements,  
 " William Newton,  
 " John Ufford, D. D.

*Ohio.*

Mr. J. W. Andrews,  
 " Columbus Delano,  
 " V. B. Horton,  
 " A. H. Moss.

*Pennsylvania.*

Rev. M. A. De W. Howe, D. D.,  
 " D. R. Goodwin, D. D.,  
 " G. E. Hare, D. D.,  
 " A. Augustus Marple.

*Pennsylvania.*

Mr. J. N. Conyngham,  
 " William Welsh,  
 " George L. Harrison,  
 " Lemuel Coffin.

*Pittsburgh.*

Rev. Marison Byllesby,  
 " John Scarborough,  
 " John F. Spaulding,  
 " William White.

*Pittsburgh.*

Mr. J. H. Shoenberger,  
 " George W. Cass,  
 " Thomas H. Howe,  
 " B. B. Vincent.

*Rhode Island.*

Rev. H. Waterman, D. D.,  
 " S. A. Crane, D. D.,  
 " Daniel Henshaw,  
 " Wm. S. Child.

*Rhode Island.*

Mr. Robert H. Ives,  
 " C. B. Farnsworth,  
 " George L. Cooke,  
 " H. H. Burrington.

*South Carolina.*

Rev. C. C. Pinekney,  
 " C. P. Galsden,  
 " Peter J. Shand,  
 " J. Stuart Hancel.

*South Carolina.*

Mr. Edward McCrady,  
 " J. J. Pringle Smith,  
 " Alexander C. Haskell,  
 " Henry D. Lesesne.

*Tennessee.*

Rev. Wm. Crane Gray,  
 " James Moore,  
 " J. T. Wheat, D. D.,  
 " G. W. James.

*Tennessee.*

Mr. Francis B. Fogg,  
 " William H. Stephens,  
 " Geo. R. Fairbanks,  
 " John Francis Jett.

*Texas.*

Rev. Benjamin Eaton,  
 " Joseph Cross, D. D.,  
 " Benj. A. Rogers,  
 " W. R. Richardson.

*Texas.*

Mr. E. B. Nichols,  
 " James H. Cutler,  
 " Wm. B. Grimes,  
 " Thomas Freeman.

*Vermont.*

Rev. A. H. Bailey, D. D.,  
 " J. Isham Bliss,  
 " R. S. Howard, D. D.,  
 " Charles S. Hale.

*Vermont.*

Mr. R. Richardson,  
 " Julius E. Higgins,  
 " James H. Williams,  
 " Geo. F. Houghton.

*Virginia.*

Rev. G. H. Norton, D. D.,  
 " Wm. Sparrow, D. D.,  
 " J. Peterkin, D. D.,  
 " C. W. Andrews, D. D.

*Virginia.*

Mr. Hugh W. Sheffey,  
 " B. Johnson Barbour,  
 " J. J. Jackson,  
 " N. H. Massie.

*Western New York.*

Rev. Wm. Shelton, D. D.,  
 " Theo. Babcock, D. D.,  
 " E. M. Van Deusen,  
 " Jas. Rankine, D. D.

*Western New York.*

Mr. G. F. Comstock,  
 " Thomas A. Johnson,  
 " Geo. C. McWhorter,  
 " Laurens C. Woodruff.

*Wisconsin.*

Rev. Wm. Adams, D. D.,  
 " J. De Koven, D. D.,  
 " Franklin R. Haff,  
 " Hiram W. Beers.

*Wisconsin.*

Mr. Daniel Jones,  
 " J. Bodwell Doe,  
 " J. A. Helfenstein,  
 " D. Worthington.

Rev. William Q. Ketchum, M. A., of the Diocese of Fredericton, assisted in the Lessons by the Rev. Canon L. P. Balch, D. D., of the Diocese of Montreal, and the Rev. William Stevens Perry, of the Diocese of Connecticut. The Litany was said by the Rev. M. A. De Wolfe Howe, D. D., of the Diocese of Pennsylvania.

The Communion service was begun by the Rt. Rev. Manton Eastburn, D. D., Bishop of Massachusetts, the Epistle being read by the Rt. Rev. Thomas Atkinson, D. D., LL. D., Bishop of North Carolina, and the Gospel by the Rt. Rev. John Johns, D. D., Bishop of Virginia.

The Sermon was preached by the Rt. Rev. Alfred Lee, D. D., Bishop of Delaware, from the text, "He that hath an ear, let him hear what the Spirit saith unto the Churches." Rev. ii. 7. [This sermon is to be printed.]

The Offertory sentences were read by the Rt. Rev. H. W. Lee, D. D., Bishop of Iowa, the alms being received and placed on the Altar by the Rt. Rev. Horatio Potter, D. D., D. C. L., Bishop of New York.

The Prayer for Christ's Church Militant was said by the Rt. Rev. S. A. McCoskry, D. D., D. C. L., Bishop of Michigan. The Rt. Rev. C. P. McIlvaine, D. D., D. C. L., read the Exhortations and the Confession, the Absolution being pronounced by the Rt. Rev. B. B. Smith, D. D., the Presiding Bishop. The Prayer of Consecration was said by the Rt. Rev. the Lord Bishop of Rupert's Land. The Post Communion was said by the Rt. Rev. Henry C. Lay, D. D., LL. D., Bishop of Arkansas, the Benediction being pronounced by the Rt. Rev. the Presiding Bishop.

After the conclusion of public worship, the Testimonials of the Clerical and Lay Deputies elect were received and recorded.

The Roll was then called, and it was found that Deputies were present from a majority of the Dioceses, as required by Article I. of the Constitution.

On motion of Mr. L. B. Otis,

*Resolved*, That the House proceed to the election of a President.

On behalf of the Deputation from Illinois, Mr. Otis nominated the Rev. James Craik, D. D., of the Diocese of Kentucky.

There being no other nomination, on motion of Mr. William Welsh, balloting was dispensed with, and the vote being taken *viva voce*, the Rev. Dr. Craik was declared to be unanimously elected, and the Rev. Wm. Cooper Mead, D. D., and Mr. L. B. Otis were appointed a Committee to conduct him to the Chair.

Before taking the Chair, the President addressed the House as follows:

I thank you, gentlemen, for this expression of your confidence, when my deficiencies in the administration of this office are known to so many of you.

It would, I think, be unpardonable in me, at this juncture, not to give some voice to the feeling which is welling up in every heart in this assembly, of joyful gladness, and of devout gratitude to God, that we are all here together

## THE FIRST DAY.

NEW YORK, Oct. 7, 1868.

This being the time and the place appointed for the meeting of the General Convention of the Church, Divine Service was celebrated in Trinity Church.

Morning Prayer was said by the Rev. Henry C. Potter, D. D., Secretary of the House of Bishops, and the



once more, as in the old time, a band of brothers, with one heart and one mind to take counsel for the good estate of Christ's Church. This is the consummation and the crown of our long sustained effort to vindicate the integrity of the Church of God, as a kingdom not of this world—a haven of rest, a peaceful home, a refuge from the storms and tempests and tyrannies of the world,—a kingdom that cannot be moved.

The Church indeed is here in her integrity, entire and unharmed. But alas! we sadly miss from this her great representative Council some of the ablest and most trusted of the leaders of the host of God. Since our last meeting, the faithful Pastor, the profound canonist, the learned and eloquent Francis L. Hawks, whose fervent words of power never failed to thrill and move the hearts of all who heard him, has gone from hard service to a blessed reward.

My noble friend, the patriot Statesman, pure and unsullied, Washington Hunt, who gave all his great powers so unreservedly to the sacred cause of Christ, he too has been taken from earthly labor to heavenly rest.

Judge Chambers, with his clear and discriminating mind and untiring devotion to the interests of Christ's kingdom, was for more than a generation the consummate guide of the legislation of the Church. None who heard it will ever forget the beauty, dignity and pathos of that prophetic farewell with which he parted from the House of Deputies at the close of the last General Convention. Hugh Davey Evans, the strong, plain, downright old man, illustrating with clear logic every important subject brought into this House, he, too, will be no more seen on earth. Who will occupy the places of these great and good servants of the Master, and enter into their labors! Although indeed they are absent from us in the body, yet by the mighty power of the Holy Ghost uniting them and us in the mystical body of Christ, they are one with us now as ever. May the same Holy Spirit enable us to emulate their virtues and to follow their example.

On motion of the Rev. Dr. Mead,

*Resolved*, That the House proceed to the choice of a Secretary.

The Rev. Dr. Mead nominated the Rev. William Stevens Perry, assistant Secretary of the House at the last General Convention, and there being no other nomination, the vote was taken *viva voce*, and Mr. Perry was declared unanimously elected.

The Rev. Dr. Haight then announced the arrangements which had been made for the Business sessions of the House, and moved that when the House adjourn it adjourn to meet at Trinity Chapel to-morrow morning, at 10 o'clock, which motion was carried.

On motion of the same,

*Resolved*, That the daily sessions of the House begin at 10 A. M., and continue until 4 P. M.

On motion of the Rev. Dr. Littlejohn,

*Resolved*, That a Committee be appointed to inform the House of Bishops of the Organization of this House, and of its readiness to proceed to business.

The Chair appointed the Rev. Dr. Littlejohn and the Hon. S. B. Ruggles such Committee.

On motion of the Hon. Hamilton Fish,

*Resolved*, That the Rules of Order of the House of Clerical and Lay Deputies of the last General Convention be adopted as the Rules of this House until others are provided.

The following message was received from the House of Bishops:

#### Message No. 1.

The House of Bishops informs the House of Clerical and Lay Deputies that it has organized, and is ready to proceed to business.

HENRY C. POTTER, Sec'y.

On motion of Mr. L. B. Otis,

*Resolved*, That the President appoint the following Standing Committees, viz.:

On the State of the Church, to consist of one member from each Diocese,—and on the General Theological Seminary; on the Domestic and Foreign Missionary Society; on the Admission of New Dioceses; on the Consecration of Bishops; on Canons; on Expenses; on Unfinished Business; on Elections; on the Prayer Book; and on Christian Education,—each to consist of eleven members.

The Secretary announced that he had appointed the Rev. J. S. B. Hodges, D. D., a Clerical Deputy from New Jersey, the Assistant Secretary, which appointment was, on motion of the Rev. Dr. Mead, unanimously confirmed by the House.

On motion of Mr. William Welsh, the House then adjourned.

#### THE SECOND DAY.

October 8th, 1868.

The House met pursuant to adjournment, in Trinity Chapel, in 25th street.

The Morning Prayers were read by Bishop Talbot of Indiana, and Bishop Neely of Maine. The Benediction was pronounced by Bishop Smith, the presiding Bishop.

The Convention was called to order by the Rev. James Craik, D. D.

The roll was called by the Secretary, William S. Perry.

The minutes of yesterday's proceedings were then read, and approved on motion of Dr. Mead.

Dr. LITTLEJOHN, of the Committee to report to the House of Bishops the Organization of the House of Clerical and Lay Deputies, reported that they had performed their duty.

The President announced the Committees given below in List of Standing Committee.

#### STANDING COMMITTEES.

*State of the Church*—The Revs. R. A. Hallam, D. D., Conn.; T. Brotherton, Cal.; J. B. Clemson, D. D., Del.; W. H. Roberts, Ill.; Horace Stringfellow, jr., Ind.; H. N. Powers, D. D., Iowa; Charles Reynolds, Kansas; J. S. Shipman, Ky.; Ed. Ballard, D. D., Me.; E. F. Dashiell, Md.; W. H. Mills, Mass.; G. D. Gillespie, D. D., Mich.; E. R. Wells, Minn.; E. F. Berkeley, D. D., Mo.; J. H. Eames, D. D., N. H.; S. M. Rice, N. J.; Wm. Payne, D. D., N. Y.; J. B. Cheshire, D. D., N. C.; E. Burr, D. D., Ohio; G. E. Hare, D. D., Penn.; S. A. Crane, D. D., R. I.; J. T. Wheat, D. D., Tenn.; R. S. Howard, D. D., Vt.; T. Babcock, D. D., W. N. Y.; F. R. Hall, Wis.; M. Byllesby, Pittsburgh; C. W. Andrews, D. D., Va.; C. C. Pinckney, S. C.; Samuel Benedict, Ga.; J. J. Scott, D. D., Fla.; J. M. Mitchell, Ala.; Wm. C. Crane, D. D., Miss; Thomas R. B. Trader, La.; Joseph Cross, D. D., Texas.

*Consecration of Bishops*—The Rev. S. Cooke, D. D., New York; J. H. Rylance, D. D., Illinois; E. F. Berkley, D. D., Missouri; R. M. Abercrombie, D. D., New Jersey; C. Breck, Delaware; G. H. Norton, D. D., Virginia; Mr. Lemuel Coffin, Pennsylvania; W. G. Harrison, Maryland; J. J. Pringle Smith, S. C.; V. B. Horton, Ohio; A. B. Churchill, Ky.

*Unfinished Business*—The Rev. W. T. Saunders, Florida; E. A. Bradley, Maine; W. C. Gray, Tennessee; W. H. Clarke, Georgia; J. Scarborough, Pittsburgh; E. T. Perkins, Kentucky; Messrs. C. B. Farnsworth, Rhode Island; L. C. Woodruff, Western New York; E. M. Bartholow, Kansas; W. P. Wheeler, New Hampshire; D. S. Turner, Cal.

*Domestic and Foreign Missionary Society*—Revs. A. N. Littlejohn, D. D., New York; J. L. Clark, D. D., Connecticut; H. Waterman, D. D., Rhode Island; F. D. Huntington, D. D., Massachusetts; Clinton Locke, D. D., Illinois; C. C. Pinckney, S. C.; Messrs. C. C. Trowbridge, Mich.; W. Cornwall, Ky.; W. Welsh, Pennsylvania; J. H. Schoenberger, Pittsburgh; E. T. Wilder, Minnesota.

*Elections*—Revs. J. S. B. Hodges, D. D., N. J.; Isaac G. Hubbard, D. D., N. H.; C. P. Gadsden, S. C.; H. N. Pierce, D. D., Ala.; H. W. Beers, Wis.; W. C. Williams, Ga.; Messrs. R. H. Ives, Rhode Island; R. Richardson, Vermont; T. M. Howe, Pittsburgh; W. T. Read, Delaware; H. I. Bodley, Missouri.

*General Theological Seminary*—The Revs. Wm. Shelton, D. D., W. N. Y.; A. Stubbs, D. D., N. J.; S. W. Manney, D. D., Minn.; A. H. Bailey, D. D., Vt.; D. R. Goodwin, D. D., Pa.; C. B. Wyatt, Cal.; Messrs. H. E. Pierrepont, N. Y.; G. L. Harrison, Pa.; C. A. Tufts, N. H.; H. A. Hayden, Mich.; R. H. Smith, N. C.

*Canons*—The Revs. W. C. Meade, D. D., Conn.; B. L. Haight, D. D., N. Y.; Milo Mahan D. D., Md.; A. A. Watson, D. D., N. C.; B. H. Paddock, D. D., Mich.; M. A. De W. Howe, Penn.; Messrs. Hamilton Fish, N. Y.; J. N. Conyngham, Penn.; L. B. Otis, Ill.; B. R. Curtis, Mass.; F. B. Fogg, Tenn.

*Christian Education*—The Revs. J. DeKoven, D. D., Wis.; F. M. Hubbard, D. D., N. C.; J. S. Hancok, S. C.; J. Rankine, D. D., W. N. Y.; T. M. Martin, Ind.; H. N. Pierce, D. D., Ala.; Messrs. G. C. Shattuck, Mass.; G. R. Fairbanks, Tenn.; J. W. Stevenson, Ky.; Wm. H. Battle, LL. D., N. C.; A. L. Kidston, Conn.

*Prayer Book*—Revs. R. S. Mason, D. D., N. C.; W. Adams, D. D., Wis.; W. Pinkney, D. D., Md.; S. P. Parker, D. D., Mass.; E. M. Van Deusen, D. D., W. N. Y.; Isaac G. Hubbard, D. D., N. H.; Messrs. Orlando Meads, N. Y.; J. C. Garthwaite, N. J.; G. E. B. Jackson, Me.; O. S. Seymour, Conn.; J. J. Jackson, Va.

*Expenses*—Revs. W. S. Child, R. I.; S. Clements, Ohio; W. C. Crane, Miss.; E. Birdsall, Cal.; C. S. Hale, Vt.; W. H. Carter, LL. D., Ind.; Messrs. J. Brown, Del.; G. Greene, Iowa; J. B. Stebbins, Mass.; J. B. Doe, Wis.; G. P. Lee, Illinois.

*On New Dioceses*—The Revs. Thomas C. Pitkin, D. D., Michigan; William B. Corby, D. D., Missouri; Jacob S. Shipman, Kentucky; Joshua Peterkin, D. D., Virginia; Peter J. Shand, South Carolina; E. Edwards Beardsley, D. D., Connecticut; Messrs. Samuel Ruggles, LL. D., New York; George C. McWhorter, Western New York; Henry Meigs, jr., New Jersey; L. N. Whittle, Georgia; T. E. B. Pegues, Mississippi.

Dr. Mead asked leave to present the petition of the newly-organized Diocese of Nebraska, asking for admission into union with the General Convention of the Protestant Episcopal Church in the United States; and he moved that the petition be referred to the Committee on New Dioceses.

Dr. LITTLEJOHN—Mr. President: As this petition has now been presented to the House with a view to refer it to the Committee on New Dioceses, I deem it proper to present a few statistics touching the growth of that infant Diocese which now applies for admission to this

body. It will be seen by a bare reading of these statistics, that not only a great work has been done in the State of Nebraska, but that that work has been done in such a manner—it has been run in such a mould—as to give the most ample guarantees to the whole Church, that as that vast and multitudinous emigration which I saw one year ago rolling into those plains, shall settle there, they will find there ready for use such moulds as will receive and fashion, and direct and shape to the glory of God and the extension of His kingdom on earth, the energies of that vast and growing population. When Bishop Clarkson, who was elected Missionary Bishop at the last Convention, entered upon the work of his jurisdiction, he found in Nebraska three churches and nine clergymen. There are now fifteen churches and 701 communicants. There are two colleges, two academic institutions, one divinity school, and five parish schools; and the value of the Church property already in that Diocese exceeds \$124,000. I think this shows good work for about two years and eight months, of which the Bishop of Nebraska has just reason to be proud, and upon which the representatives from that Diocese have reason to congratulate themselves, and to receive the congratulations of this body.

The reference of the petition to the Committee on New Dioceses was then approved.

Rev. Dr. ADAMS—Mr. President: I have a memorial to present from the Diocese of Wisconsin which was passed at the last Convention, and which was ordered to be signed by all the clergy and laity of the Convention. Of this memorial, I am happy to say that it represents the public opinion of a large proportion of the West in reference to the obstruction that is offered to the propagation of our Church in this country. I believe that this Church derived from the English Church is not a *sect* to bring in the educated and refined only, but it is and must be the Catholic Church in these United States; and I must say that I think we have been shackled by our obstructive legislation. It is the purpose of this memorial, to bring before this National Council of the Church in the United States the Fifth Article [of the Constitution] wherein this obstructive legislation exists and which has prevented the propagation of the Protestant Episcopal Church through the whole West, and is injurious and obstructive to the Church in the whole country. The memorial was then read.

*First:* Recognizing the principles of the See, and providing that there should ultimately be a Bishop of the Church, with his Bishop's Church or Cathedral, in every city of the land.

*Second:* When in any Diocese it shall seem expedient to divide and erect a new See, it may be done upon the vote of a majority of both Orders, passed in two consecutive Conventions, with the approval of the General Convention.

*Third:* That the division of the parishes and the assignment of limits between the two Sees should be made by mutual consent, the final decision thereof resting with the Bishops, clergy, and laity of the whole State, or a Committee appointed by them.



[The memorial was published in full in **THE CHURCHMAN** at the time of its adoption.]

On motion, the memorial was referred to the Committee on Canons.

Rev. Dr. MAHAN, of Maryland, read a memorial from his Diocese, concerning the formation of Provincial Councils, with the following resolutions.

*Resolved*, That it is the opinion of the Convention that as soon as may be after the organization of two or more Dioceses within the limits of the present Diocese of Maryland, and after the Consecration of Bishops for the same, there shall be a Council of said Dioceses, through their proper representatives, to consider and adopt measures for a permanent Synodical or Conventional Union, said Council to consist of the Bishops of the several Dioceses into which the present Diocese shall have been divided, with ten clerical and ten lay deputies from the several Conventions of the same, and to be called at such time and place as the senior Bishop, on conference with his brethren, shall determine.

*Resolved*, That this Convention petition the next General Convention for such modifications of the Constitutions and canons, if any such are needed, as may enable the Dioceses formed or to be formed within the limits of any present Diocese, to organize among themselves a Synodical or Conciliar Union.

*Resolved*, That this Convention also petition the next General Convention to take the necessary steps for authorizing the erection of Provincial Courts of Appeal, whenever it may be desired by any Church province.

On motion, this memorial was referred to the Committee on Canons.

Dr. HAIGHT presented an application from the Diocese of New York for the erection of two new Dioceses, one on Long Island, and the other in Northern New York.

Referred to Committee on new Dioceses.

Dr. H. also presented a memorial of the Diocese of New York on the subject of a Federate Council of the several Dioceses within the State.

Referred to Committee on Canons.

The Secretary announced the appointment of the Rev. John M. Mitchell, from the Diocese of Alabama, as second assistant Secretary.

Dr. HUTCHINSON read papers concerning the election of the Rev. Dr. Robertson as the Bishop elect of Missouri; which were referred to the Committee on the Consecration of Bishops.

Dr. WHEAT, of Tennessee, read a memorial from his Diocese on the extent and formation of Dioceses; which was referred to the Committee on Canons.

Mr. LEE, of Illinois, read a memorial from his Diocese in Illinois, seconding the memorial from the Diocese of Wisconsin.

Rev. Mr. CROSDALE, of Maryland, offered a petition for the division of the Diocese of Maryland. The petition and accompanying documents were referred to the Committee on New Dioceses.

Rev. Dr. WATSON read a memorial and resolution from the Diocese of North Carolina; which were referred to the Committee on Canons.

On motion of the Rev. Dr. Berkley, *Ordered* that the Clergymen of the Protestant Episcopal Church, and Clergymen of the United Church of England and Ire-

land, and of the British Colonies, also of the Episcopal Church of Scotland, who may be sojourning in this city, members of the Board of Missions of the Protestant Episcopal Church, Trustees, Professors and Students of the General Theological Seminary, other students of Theology who are candidates for Holy Orders in this Church, former members of the House of Clerical and Lay Deputies, Members of the Vestry of Trinity Church, in the city of New York, in one of whose Chapels this Convention holds its present session, be admitted to the sittings of this House.

Rev. W. H. CLARKE, of Georgia, read a memorial from the diocese of Georgia in favor of changing the name Convention. Referred to the Committee on Canons.

Rev. Dr. CROSS, of Texas, read a memorial from Texas with reference to limiting the extent of Dioceses so as to secure proper episcopal oversight.

Dr. BERKLEY, offered a resolution to provide members of the House with 400 copies of a list of Deputies with their residence in the city, a list of the Standing Committees, and the Rules of Order. Adopted.

A recess of 20 minutes was then taken.

Dr. GOODWIN, offered a resolution to print 3,000 copies of the sermon preached at the opening of the Convention. An amendment to print 1,500 copies was accepted.

Mr. WALLACE, of St. Louis, moved to lay the resolution on the table.

Dr. MEAD—It has been the practice to publish the sermon at the opening of the Convention. Though I differ *toto calo* from the doctrines of that sermon, yet I should be sorry to see in this Convention the practice initiated of laying on the table a resolution to print a Bishop's sermon, when it has been the invariable practice to print the sermons at the opening of the Convention.

The PRESIDENT—As the motion to lay on the table the resolution to print, has not been withdrawn, there can be no debate to lay on the table.

On the vote being taken, the President declared the motion to be lost, so the question recurred on the resolution to print 1,500 copies.

Mr. GEO. R. FAIRBANKS said that some time the question would have to be decided whether the Convention should, by printing, give its sanction to sermons of a controversial nature. The question was fraught with difficulty for the future. Therefore, in the outset it would be best to enter the sermon on the Journal but not to publish any extra copies. While it was appropriate to publish the final address of the Bishops, as expressing the views of the Church, it was not proper to publish the opening sermon, because it expresses only the individual views of the preacher. If we are bound by the question of courtesy now, we shall be equally bound in the future when it may involve greater difficulty.

The PRESIDENT remarked that the sermon had never been printed in the Journal.

Mr. GADSDEN, of South Carolina. May I ask how it has been printed?

Dr. MEAD. As a separate pamphlet, by a motion as to the number of copies to be printed.

Mr. GADSDEN. I understand from the deputy from Connecticut that it has always been done.

Dr. MEAD. I say almost invariably. I do not recollect where a motion has not been made to that effect.

Mr. GADSDEN. Then I do not see how it is possible to avoid publishing this sermon. It would be an act of discourtesy to refuse to publish.

Rev. Dr. HAIGHT. If we should ever change the law in regard to printing sermons, I would deprecate the introduction of this resolution at this time. I think it would not only be an act of severe discourtesy, but an act exceedingly unwise on the part of the majority of this House to pass any such resolution. We are not here to sit in judgment on the doctrines of the sermon at the opening of the General Convention. It is our duty to sit and listen to it calmly and respectfully. We may not approve its doctrines, but I think we are bound at least to recognize the fact that the preacher is a Bishop, and that he has spoken what he believes to be the truth of God, and as the preacher appointed by the Bishops, he ought to be respected by a vote of this House. I am not prepared to say whether or not the rule in general is a good one. But be it ever so faulty, I hope that this House will not so far forget what is due to itself and to the Bishop of Delaware as to pass any resolution deviating from the usual practice of this House.

Dr. GOODWIN. The resolution proposes to legislate that the sermons to future General Conventions shall not be published. In that respect, it is nothing but a refusal to print this. It, therefore, stands in the face of the uniform practice of the Convention of the Protestant Episcopal Church in the United States. In offering this resolution I thought I was making a mere proposition of routine. I observed the fact that it was in the Journal of the last two Conventions. I happened to take up the Journal of the Convention before the last, and, therefore, I proposed as it was done there, 3,000 instead of 1,500 copies; but I would as lief say 1,500 as 3,000, simply to accommodate our action to the uniform action of the Convention. Shall we take this opportunity to treat with disrespect one of the honored Bishops of the Protestant Episcopal Church in the United States, one of venerable standing in the House of Bishops, one who has done no wrong, one who has spoken what he believes to be true, in charity and love, and one who would be the last of all men on the face of the earth to treat any man with disrespect?" Shall we treat him with disrespect because he has before God and the Church spoken what he believes to be the truth, standing there as the appointed preacher of the House of Bishops? Shall we treat him with discourtesy by saying that his sermon shall not be printed? I have nothing to do with the question whether I agree or not with the doctrines of the sermon.

That has been spoken of, and fully to my satisfaction, by my Rev. brother [Dr. Mead] who preceded me. Shall we sit in judgment upon the sermon to determine whether we agree with it in every point? I am amazed at the proposition, and, therefore,—sit down.

Dr. MEAD. I would say to the members of this House that although you may differ from the doctrines or sentiments, some or many of them, uttered in the sermon, yet the simple fact that it would be an act of discourtesy to refuse to print it is sustained by documents which I hold in my hands. Here is a package of sermons from 1785, preached before the General Convention, printed separately by a vote of the House of Deputies. If we should now, under the present circumstances, refuse to print that sermon, we should place ourselves in a false position, before the House of Bishops, before the Christian World—before the whole Church. And as to the resolutions for the future action of the Convention, it would be impossible to determine their action, for, as said the Reverend Deputy from Pennsylvania, every Convention manages its own business.

Mr. RUGGLES. I hope the sermon will be printed. It forms a part of the history of the Church, and we want to preserve a history of all that has been said *pro* and *con*.

Mr. PARSONS. I approve of what has been said by the Reverend Deputy from Pennsylvania. I feel it my duty, while I shall vote against the printing, to say that I do not intend thereby any discourtesy. I shall vote against it chiefly on the view stated by the Deputy on the other side of the House that the time may come when the present formal action of this House will be, as a precedent, a cause of great embarrassment. At the same time that I vote against the resolution I disavow any intentional discourtesy; and I think it is not altogether fair to charge with intended discourtesy those who vote against the resolution.

JUDGE CONYNGHAM. It is important to think what we are proposing to do under the circumstances presented by this resolution. As I understand, in the regular order of proceedings, the Bishop was called upon to preach a sermon. By appointment from his brethren, he has preached a sermon; and the simple question here is whether, he having preached a sermon that was listened to by the Deputies here present and a large Congregation there assembled, that sermon should be published by the authority of those who listened to it or not. It *will be* published; and if I desired particularly that it should produce the effects desired by those approving its doctrines, I would wish especially that this Convention should refuse to publish it. If they should thus stigmatize it, it would be published far and wide. Regarded as an act of persecution, its author would be deemed a martyr, and everywhere persons would be desirous of obtaining that sermon for the purpose of seeing what it is. I say to those who oppose the publication of the sermon, if you desire to give it force—not the mere force of a formal and customary resolution—put upon it a



stigma by refusing to pass this resolution. Let it be adopted in the ordinary way. Do not adopt the rule that we will sit in judgment upon every sermon preached before the General Convention, and that if a Deputy objects to a particular doctrine enunciated by it, a Committee shall be appointed to inquire into it and determine whether or not the sermon shall be published. But let us publish the sermon as a formal and customary matter. That cannot be regarded as the adoption by the House of its doctrines; it is merely a formal act, and carrying out the practice that has always prevailed. I think we ought to publish it out of respect for the Right Reverend Father in God who, out of his own conscience, preached that sermon, and also out of respect to the uniform action of this House.

Rev. Dr. Adams said he was not a believer of the doctrines of the sermon, but out of respect to a Bishop of the Church he would favor publishing the sermon. He hoped that no man of right reason, and common sense, and *apostolical principles*, would oppose it. (Laughter.)

Mr. Meigs approved of the publication of both sides of a controversy, and would therefore vote for the resolution.

Mr. Fairbanks would vote against the resolution with no intention of discourtesy to the venerable father, but with the hope of getting rid of a troublesome precedent which was likely to bind the House for all time.

Dr. Littlejohn called upon the secretary to read an extract from the Memoirs of Bishop White, touching the disposition made of a sermon delivered by Bishop Moore in 1820. The action taken by the House of Lay Deputies at that time was germane to the subject, and it was right that the extract should be read to the House.

The secretary read from page 235 of the Memoirs of the Protestant Episcopal Church by Bishop White, second edition, as follows:

The reception of Bishop Moore's sermon appears on the journal in such a shape as requires explanation. The House of Clerical and Lay Deputies passed a vote requesting a copy for publication. The House of Bishops concurred in the vote with the addition of their thanks, which had been omitted by the other house. The reason was the preacher's having made baptismal regeneration one of the points of his discourse. Some of the gentlemen, and especially those the most in habits of friendship with him, were displeased at this; and hence the resolve on the Journal of the House of Clerical and Lay Deputies, that it will be inexpedient hereafter to pass votes of thanks for sermons delivered before General Conventions, and to request copies for publication. The author believes, that with the majority of the house, this resolve was owing not to their dissatisfaction with the doctrine of the Bishop Moore, but to their general view of the subject of voting thanks; which may have suggested the apprehension, that dissatisfaction with any point in a conventional sermon, be

it even in the minds of a few members of the body, may excite an angry controversy, not having any tendency to settle the matter in question. In the House of Bishops the vote of thanks for the sermon was passed unanimously.

So far as the duty of a conventional preacher is concerned, the author is of opinion that there should be carefully avoided all questions on which the sense of the Episcopal Church is doubtful.

The resolution was then adopted by a nearly unanimous vote.

On motion of Gov. Stevenson of Ky.,

*Resolved*, That, the House of Bishops consenting, a joint Committee to consist of three on the part of this House be appointed to consider the propriety of selecting another building for the daily sessions of this General Convention.

Dr. Haight and others of the New York committee who had selected Trinity Chapel as meeting best the wants of the Convention, all things considered, offered no objection to the appointment of the committee.

The resolution was adopted, and the president named the committee.

The following resolution, offered by Dr. Mahan, was, by a rising vote, unanimously adopted:

*Resolved*, That this House place upon its records the expression of its grateful sense of the eminent and long-continued services to the Church of the three venerable deputies from the Diocese of Maryland taken to their rest since the last Convention, the late Hon. Judge Ezekiel F. Chambers, LL. D., the Rev. Henry M. Mason, D. D., and Hugh Davey Evans, LL. D.

On motion of the Rev. Dr. Pinckney the name of John Henry Alexander LL. D. was added.

On motion of Mr. George C. McWhorter, the following resolution was also unanimously adopted by a rising vote:

*Resolved*, That this House place upon its records this expression of its grateful recollection of the high Christian character and valuable services in behalf of the Church, of the Hon. Washington Hunt of Western N. Y., deceased since the last General Convention, and for many years a member of this House.

Dr. Haight offered the following resolution, which was unanimously adopted:

*Resolved*, That this House has learned with deep regret of the death of the Most Rev. Dr. Fulford, Bishop of Montreal and Metropolitan of Canada, whose presence and services at the last General Convention gave us so much pleasure—and that this House do communicate to the House of Bishops its desire to join with them in such expression of regard for the departed Bishop and of respect for his memory as they may see fit to prepare.

Mr. Ruggles offered a resolution of respect for the late Rev. Francis L. Hawks, D. D., which was unanimously adopted.

The Convention adjourned to to-morrow morning, at 10 A. M.

## THIRD DAY'S PROCEEDINGS.

Oct. 9th, 1886.

The House met pursuant to adjournment, the Morning Prayers were read by Dr. McMasters, of Minnesota, and Dr. Gibson, of Western New York.

The Benediction was pronounced by Bishop McCoskry, of Michigan.

The House was called to order at 11 o'clock.

The names of Deputies not previously present were then called.

The journal of yesterday's proceedings was read and approved.

The president presented a communication from the Treasurer of the Convention giving a summary of his report; which summary stated the total disbursements as \$8,291.55, in excess of receipts, \$457.85.

On motion the account of the Treasurer was referred to the committee on expenses.

The committee on elections reported by its chairman, J. S. B. Hodges, that certificates of election to the House of Clerical and Lay Deputies have been received from every Diocese in Union with this Convention, 34 in number; that the certificates are all in due form; and that they have given accurately a list of the names of those entitled to a seat as members of the House, being the same as have been entered on the roll and called by the Secretary.

Rev. Dr. PITKIN.—from the committee on New Dioceses, reported the following resolution:

*Resolved*, That the Diocese of Nebraska be and is hereby admitted into full canonical union with the Protestant Episcopal Church in the United States.

Rev. Dr. PITKIN.—added: The committee feel it necessary to state to the House that the meeting in which this Diocese was organized and the Canons and Constitution adopted is called not a Convention but a Council.

Hon. Samuel B. RUGGLES.—As one of that committee, I think it proper to state to the House that although the action of the convention did not in all respects conform to the constitution, still I would consent to the report so far as to bring it into this House, that they might now distinctly understand that this new Diocese desiring to come into the convention, has adopted a new and significant title for their organization. This new Diocese and convention calls itself the council of that church, and as such asks admission to this body, which is canonically known as the General Convention of the Church, and which in most or many canons and in parts of its constitution speaks of itself as a convention. If we assume that this word Council is only a synonymous word with Convention, then we may safely admit this Diocese into union with this body defined in its constitution as a convention. Were it an original question to change the name from convention to council, I would be fully prepared to do so: I do not like the name convention. I therefore favored bringing this question, in this dis-

tingent manner, before this convention to take such order as will decide the question forever; and in doing so, I hope they will decide in favor of admitting the Diocese without a moment's delay. I feel an interest in the introduction of this Diocese into the Church.

Rev. Dr. HOWE.—I deem this question of the utmost importance. I am not particularly tenacious of this or that name for our assemblies, but after the Church has adopted a given name, it seems to me that it is not competent in the several Dioceses to adopt other names for if one may adopt the name council, another Diocese may call itself a conference, another may call itself an assembly, and another may call itself a synod; and we shall have a motley set of names. Moreover, if the name may be changed in that particular, it may be altered in other respects. There are members of this Church who are very fond of calling it the reformed Catholic Church; and by and by, we may have a Diocese coming in and calling itself the convention of the reformed Catholic Church. I hope that, while the Diocese is admitted, it will be expected of it and all other Dioceses that they will conform in their designation to the terms which this Church has adopted for the designation of its respective parts. If that nomenclature is to be altered, I shall very cheerfully go into that. I heard it suggested yesterday that the Diocesan convention should be called convocation, and that the federative meetings where Dioceses are associated with one another, should be called synods or councils, and that the higher meetings in which we are now engaged should have some other name. But until the change is made, let every part of the Church conform to the nomenclature adopted.

Dr. PITKIN.—It appears that the Missionary Bishop of the Diocese called the meeting which organized this Diocese as "a Convention"—as a "primary Convention." It is afterwards called in the other proceedings a council. I think it is a perfectly fair inference that the word council is used as synonymous with convention.

Rev. Dr. MEAD.—Is the term council used in the constitution of the Diocese?

Rev. Dr. PITKIN.—It is used in the constitution. The title of the journal is: "Journal of the Proceedings of the First Annual Council of the Protestant Episcopal Church," &c.

Rev. Dr. MEAD.—However strong my desire to see the new Diocese of Nebraska brought into communion with this General Convention, I have strong constitutional objections to such a reception unless we can have assurance that there will be a correction of the name at their next convention. I have strong constitutional objections to the admission of this or any other Diocese under any other name than that which is recognized in the constitution of the Church. If the term convention were not applied in the constitution to the Diocesan organization I should have no difficulty; but if any gentleman examines the constitution, he will find that it says "If the *Convention* of the diocese should neglect" to



do thus and so; and in something like half a dozen instances, the term convention is made a constitutional designation. If we constitutionally agree to strike out the word convention and substitute some other, very well: but I do not believe that any diocese ever existed in the union that had a right to change this name, and I certainly do not believe that any Diocese coming as a suitor, asking for admission, has any right to assume any other name than that authorized by the constitution. Words mean something, and although these may be words which are synonymous, there are few synonyms which have not variations of meaning. But admitting that they are correlative terms, yet let us resist every attempt at encroaching in any degree even to a letter on the constitution of the Church. There are encroachments, unintentional perhaps, that are at this very day introducing among us variations totally unauthorized by the constitution of the Church. But if any security can be given that this name assumed by the diocese of Nebraska will be corrected, I have no objections to receive it into union with the Church.

Rev. Dr. LITTLEJOHN.—The Diocese of Georgia memorialized this House yesterday, and the memorial was referred to the committee on Canons, asking this House to consent to the change from the name convention to council, and suggested other changes. It has occurred to me that the debate which has already arisen on this subject is premature. I think it will be better for this House, inasmuch as the matter has been formally brought to its notice, to ask the committee on Canons to make an early report, and then the whole matter of the name will come regularly before the House. I understand the Diocese of Minnesota has adopted for its Diocesan convention the name Diocesan council; and there are other Dioceses in which it is called a council. I submit to the consideration of the House whether it is not expedient to postpone the further discussion of this matter of the admission of the diocese of Nebraska until after the committee on Canons have reported concerning the memorial of the Diocese of Georgia. But I submit that it is too late for any gentleman to resist the admission of the Diocese on the technical objection to its name council, when other Dioceses in full communion have already adopted the name. And I have yet to hear a satisfactory argument on this point which shall convince me that a Diocese acting in its own proper sphere and by its accredited authorities has not the right to make a change in that regard. I know that the word convention is used in the constitution of the Church, but it is nowhere made imperative upon the Dioceses to assume that name.

Rev. Dr. PETERKIN, of Virginia,—said that he was willing, with the gentleman from New York, that discussion on this subject should cease, but it was due to the members of the committee, of which he was a member, that he should state the reasons which influenced their action.

A message from the House of Bishops announced the concurrence with the House of Deputies in the resolution to appoint a committee to consider the propriety of selecting another place for the daily sessions of the convention.

Dr. PETERKIN—continued: We observed that in the Bishop's call for the meeting of the Diocese, it was called a "primary convention." And then it occurred to some of us that the words were interchangeably used—as, for example, in the prayer in which we joined this morning we read: "A prayer to be used at the meetings of the *convention*;" and yet in the prayer we pray that God may be "present with the *council* of His Church." Taking all these things into consideration, we thought it was not proper for us to throw any obstacle whatever in the way of the admission of this new Diocese.

Mr. WELSH.—For the reverend gentleman from Virginia it was but natural he should be liberal, because it seems from his own certificate that the word convention has been stricken out and the word council inserted.

JUDGE OTIS.—Just before the assembling of this convention, my attention was attracted to this question. The name *convention* is to be found ten times in the constitution, and the Canons of our church use the name thirty-five times, and no other name. Now the question is presented whether a new Diocese can be admitted, whose legislature has adopted another name. I am the friend of that Diocese and of its Bishop, and I know well many of its presbyters. And I know they do not, in any degree, intend to depart from the laws and usages of this Church. I think they can be admitted with a declaratory law or resolution such as has been adopted in Congress requiring a state to conform some of its provisions to the general laws of the United States. They may be admitted upon that principle, and upon no other. A memorial was passed by my own diocese which we are instructed to present here asking to change to the name council; but no Diocese can seize the lists and change the name in advance of the Church at large. Here it must be initiated, and nowhere else; and it takes two General conventions to do it; and until two General conventions have done it, it is an entire departure and unlawful for a diocese to make the change. But this diocese has acted in good faith. I think we may lawfully admit it, and pass a declaratory resolution that they shall conform to the law of the Church until it is changed by the General convention; and in that way only can we get over this difficulty. I believe the State of California was admitted, though its constitution was adopted in advance of an enabling act, but with certain prescribed conditions; and States have been required to change their constitutions notwithstanding they had been admitted before, by giving pledges that they would conform to the conditions by their first subsequent legislature. I will mention difficulties of going on loosely and of the diocese changing its name in advance. They cannot elect a Bishop by any body ex-

cept the *convention* of the diocese. No power is given to elect a Bishop except by a convention. The testimonials must be signed by a constitutional majority of both orders of the convention elect. I would like to see a house elect a Bishop and present his testimonial signed by a council, a body entirely unknown, and unauthorized to do it. How could we get over the difficulty? We could not do it. The presiding Bishop has no authority to take orders to consecrate a Bishop until the testimonials are signed by the conventions electing and are presented to him. A presbyter cannot be tried by any other body, according to the constitution of our Church, than that body known as the diocesan convention prescribing the rules. If any other body does it, his rights are infringed upon.

Gov. STEVENSON, of Kentucky:—I have listened with pleasure to the learned deputy who has just occupied the floor. The nomenclature is not only important, but it should be uniform. I think it is an important matter; but really this discussion is premature. I concurred in every sentiment that was uttered by the deputy from New York. It does seem to me that we ought to admit this new diocese. We should admit her as a matter of justice, although she did use the name council. She had a right to look to Virginia, the first state in this union where the Episcopal Church flourished, and there she would have seen the word council applied to a diocesan convention. She might have gone to this general convention and seen where a council had elected a Bishop who had been consecrated, and accepted by the general assembly—the Bishop of Alabama. Suppose he had been elected by a diocese styling itself a council, which I believe is the fact. There is the pertinent answer to the gentleman who last addressed this House. If Virginia using the word council, had elected an assistant Bishop, would this general convention have refused to accept it? It has done it; and there is the answer to my venerable friend who last addressed the convention.

JUDGE OTIS.—The election did not come before this House; it was simply sent to the standing committees.

Gov. STEVENSON.—It has not yet met the objection that it is unconstitutional, and that he is not a regularly consecrated Bishop in this Church. If the general convention chooses to retain the word convention, I have no feeling against it. When Nebraska saw Minnesota, Virginia, and other states using the word council; when she saw that the state of Georgia had memorialized that the general convention should be termed a General Council—is that a reason for excluding her? When she acts in accordance with what the people of Nebraska may have supposed the popular sentiment of the Church, it does seem to me that that ought to excuse her. But I do not agree with my learned friend in his construction of the constitution. I yield with great deference to his experience as a churchman and as a lawyer; but I cannot believe that the term convention

as used in the constitution carries with it any particular force. If I have ever believed any thing respecting it, it was that the organization of the Episcopal Church was based upon our federal form of Government, the House of Bishops corresponding to the Senate, and this House corresponding to the House of Representatives. My learned friend says that unless the diocesan convention shall use the term convention, its acts are not valid because this constitution uses the word convention. I refer him to the constitution of the United States. A senator of the United States is elected by what? By the legislature of each state. In some of the states they are called the popular branch of the House of Representatives: in others, they are called the House of Delegates; in others, a Council. It is, however, at last, but a legislative body. I might multiply the various epithets applied to the branches of that constituent body by which a Senator is to be elected. But no man doubts that it is still the legislative body, and that body which the constitution of the United States recognizes as the electors of a senator of the United States. Therefore I say, with great deference, that when the word convention was used, it does seem to me that it meant but the legislative power, and, whether called council or convention could not militate against the validity of the election of the members elect, and should not militate against the reception of the new diocese which is now seeking communion with the Church.

JUDGE BATTLE—I believe it has been disputed a long while whether a rose smells as sweet by any other name, but I believe it has never been disputed whether a rose is not a rose because called by some other name. It seems to me that Nebraska has done everything that the constitution requires, notwithstanding her use of the term Council.

Gov. FISH—The admission of this new Diocese, it is claimed by my honorable friend who preceded me, is under the 5th article of the Constitution. The Diocese of Nebraska does not tell us that it is the Protestant Episcopal Church, as required by the 5th article of the Constitution. They do not ask admission as a Protestant Episcopal Church. They accede to the Constitution, but it cannot be claimed under this 5th article of the Constitution, they are entitled to admission. Suppose the resolution reported by the committee to be adopted, how are these deputies to take their seats? Article second of the Constitution of this Church provides that the churches in the Diocese shall be entitled to representation of both clergy and laity "*chosen by the Convention thereof.*" But there has been no Convention of the Diocese to prescribe the mode of electing the deputies. Some stress has been laid upon the fact that the Bishop called the meeting as a Convention. But what does that convention do? It disclaims the title convention and calls itself a council. They are not, therefore, what the Bishop convened—a convention of the Diocese, but another body which has adopted this



constitution, and which asks admission. [Reads from the 6th article of the constitution with reference to the trial of presbyters]. Every lawyer in this body will recognize the necessity of strict terms in criminal proceedings. Suppose the case in this Diocese of a presbyter being arraigned on charges, and he pleads that he is not arraigned or tried as prescribed by the constitution of the Church—that there has been no Convention of the Diocese of Nebraska to direct the mode of trying? Now it is claimed that the words are synonymous; but that position might be overruled and involve the Church in trouble. We all desire to have this Diocese in communion with the Church as soon as possible. The gentleman from Illinois proposes to admit it on condition. That is an old proposition. It is letting the lion in to see if you can turn him out again. I think my friend's argument of analogy of the action of Congress in admitting States under conditions, seems strained. I think the States admitted have been admitted "when they shall change their constitutions." I propose that the Diocese of Nebraska shall be admitted whenever the authority of the Diocese shall have adopted a constitution recognizing it as a Protestant Episcopal Church and changing the name of council to Convention. I would move to amend the resolution before the House in that manner.

A DEPUTY—Likened the election of deputies by a Diocese, to the election of representatives by the legislature of a State, and argued that the election was valid by whatever name the legislature might be called, and it was immaterial whether the legislative power of a Diocese was called a convention or a council.

Gov. FISH—The "legislature" is a very generic term. The parliament of Great Britain is a legislature.

A DEPUTY—Is not the House of Burgesses the same?

Gov. FISH—No doubt it is. Whatever body the legislative power of a State is vested in, constitutes its legislature.

A DEPUTY—Is it material then whether a legislative body is called a convention or council?

Gov. FISH—We have conventions and councils of the Church. The term "legislature" as used in the Constitution of the United States is a generic term, but not so with these terms convention and council. If they were synonymous, and if they were generic terms, the analogy would be complete; but I think there is a very great difference between the two cases. Some gentlemen desire to change the name of this body from convention to council, but we have not done it. We have councils, conventions, and synods. Does any gentleman undertake to say that they will come under the same designation as the word *legislature* in the Constitution of the United States?

Rev. Dr. ADAMS, of Wisconsin—I think I can add a few words to the resolution before the House, which would settle the whole question with reference to the Diocese of Nebraska. I listened with great pleasure to

the remarks of the distinguished layman from New York [Gov. Fish]. As a lawyer I suppose the House has the highest confidence in him, and that he understands the legal position of the questions that may come before this House. He objected to the use of the word council, but thought that if that word were understood to mean precisely and exactly what the word convention means, this House should pass the resolution. I think this House can pass a resolution with the addition that I propose—that is, adding to the proposed resolution these words: "with the understanding that the word council in its constitution and canons is identical in meaning and perfectly synonymous with the word convention." I think all the objections that have been made by gentlemen against the reception of the Diocese of Nebraska into full union with our convention are perfectly met by this proposition. The proposed addition of a declaration that by-and-by they shall substitute the word convention for the word council is certainly very awkward and clumsy. We had better admit the Diocese at once or reject it. If we declare that the word council is identical in meaning with the word convention, there will be no difficulty in the case; that settles the question completely and entirely. Gentlemen have considered the constitutional reasons against it. I myself come from the West, and I wish to bring forward the real reasons why we from the West do not want this title of convention any more. The word convention is *bona fide* and actually synonymous with synod (*synodos*), convention, or synod. They are all the same. In the constitution and canons the word convention was given as identical with the word council, as is manifest from the prayer to be used at the meeting of the Convention. The Prayer Book I take to be superior to the Constitution of the United States. In the Prayer Book, in the prayer we used this morning, "Council of Thy Church" is synonymous with convention. I take it that the original writers and composers of our constitution and canons took them to be identical in meaning; but if they did so use the term, circumstances have occurred since which make us desire that the word should be changed to the word Council. I proposed myself, in the last Convention, that "General Convention," wherever the words occur, should be changed into the words "Great National Council;" and I believe there is not a deputy in this House that is not willing to take the word council instead of the word convention. But what are the reasons for the change. They are, in the first place, that the word convention is used for all sorts of assemblies. When we sat in General Convention in Philadelphia, there was a *Dentists'* Convention; and there was a *Spiritualists'* Convention; and there was a Convention of Baptists. There is the convention of all classes, sorts, and sizes. The word is a *dirty* one; it is a word that is polluted and defiled. There is nothing in itself that is wrong; but it is used so that it means any chance-like meeting of any sort of persons whatsoever

that gather together to form any sort of society. We in the West feel that that meaning and that use of the word give us some trouble. If it were a council, men would come to it who take an interest in the Church—who are desirous to forward the progress of the Church; but as a convention we have demagogues of all sorts and sizes, thinking that they have a right to come to a convention; and I saw men in convention in the West making the motions and speeches and using the meanest arts, of the dirtiest demagogues, in the Council of the Church; and when I saw that, I said we should have some other name;—that we should have the name council;—that the proclivities and tendencies which this word convention brings upon us, are injurious and destructive. I rejoice that the Church in the State of Virginia has taken the name council; and I would ask the opponents of this term, if they intend to expel the Church in the State of Virginia? Do they intend to shut out Bishop Whipple from the House of Bishops? Certainly, if they reject Nebraska, they are bound to do so. I think the word council is an ecclesiastical one, and an admirable one; and I think if we admit the Diocese of Nebraska with the title council, we do what we have a *right* to do, and we open the way for the change in the title of this assembly, which I hope before this meeting is passed will be on its way to be the Great National Council of the Church in the United States.

Dr. Adams's amendment was seconded.

Rev. Dr. GOODWIN—There has been an amendment already offered. In regard to this proposed amendment, the grand objection is, that it is a proposition to settle by a side issue, a question already brought to the attention of this House by solemn memorials from some Dioceses, and already referred to the Committee on the Constitution and Canons. The distinction between convention and council has been considered a question of so great importance that one or more Dioceses have memorialized this Convention to have the change made. Now, it is proposed by a side-issue, and before-hand, that we should declare, according to the proposed amendment to this resolution, that there is no difference at all between the two words. It seems to me that it is a very exceptionable mode of proceeding. And it seems to me very strange that, as far as I can understand it, some of these same gentlemen who are so earnest to have the change made come here and say there is no difference. But then, Mr. President, we are told that convention is a *dirty* word. It seems to me that this is something like a reflection, not upon ourselves only, but upon our predecessors in the Protestant Episcopal Church in the United States of America. We have been calling ourselves a General Convention. In our constitution and General Convention we have spoken repeatedly of conventions of the Dioceses in the several States, and now we are arraigned for the use of a dirty word. We have been called by a dirty name and have got tired of a dirty name, and want to change it. If some other body

call themselves by the name convention, shall *we* be ashamed who have called ourselves, for more than half a century, by the name of convention? Is the convention of the Protestant Episcopal Church degraded? Has its very title become dirty because some other people call themselves conventions? I know people who call themselves councils. There is a plenty of councils in the Congregational denomination. Every month, probably, a council meets. Convention has a wider application; that is, it implies a larger and more respectable sort of meeting. But the gentleman says that council is an ecclesiastical term. But it has been used for councils of Bishops; and if the distinction were to be taken at all, then the word council would be historically inaccurate, and not exactly appropriate, for our conventions.

The House then took a recess of 20 minutes, when

Dr. GOODWIN continued:—I did not intend to occupy the House much longer and should have closed in a few minutes, but, as all the members who have spoken here will easily understand—as I have had a few minutes to think of the matter, I would naturally like to say more, a misfortune for the House as well as for myself. In regard to the word Council, I was stating that there was some distinction between the word convention and council, not intending, however, at all to hold the ground that it would be improper or inexpedient that we should change the name of this convention to council and the name of the Diocesan conventions to councils if we see fit. I do not think it is a matter of so much importance. It is *other* people who think it is a matter of so much importance; and I said that it is a curious thing that those same people come and tell us that there is no difference; that the Diocese of Nebraska is to be admitted with the understanding that the two words have just the same signification. We have been told by men learned in language—and I confess as a learner that I receive the doctrine—that there are no two words in any language that have precisely in all respects, and in all applications, and associations, and in all the breadth and length of their meaning, precisely the same signification. I undertake to say, therefore, that these words do not have the same signification. They may have a correspondent or analogous etymology, and what of it? They have not the same signification. As to the word convention being so much degraded by its various uses, allow me to say further that our brethren of the West might become familiar with the word Council in a great variety of applications. There are Indian councils; then are we to become Indian councils? Oh no. They say that it is an ecclesiastical term. Very well, say it is an ecclesiastical convention; and I do not understand that if the spiritualists choose to hold a convention, we are to be ashamed of our old received term and call it dirty. I protest that it is not proper in my brethren to throw dirt upon our own received, acknowledged, well-established appellation, given us by our fathers—the very name by which we were baptized.



I think it is a respectable name. Although Council, in some respects, may not seem so good a term, I do not object to it. I think it is a matter of no great consequence, if we choose to change it. But I think it is a matter of great consequence when *other* people undertake to change it for us. I think the terms which this Church, by its proper authorities, has given it, are terms that should be adhered to until changed by proper authority. It is said that this Church itself recognizes—in the Prayer Book, for example, by the prayer for the General Convention—that the two terms Convention and Council are interchangeable. I have no doubt that in some respects they are interchangeable; and I have no doubt that a man might in conversation and in his prayers, call this a council of the Church; but the constitutional word is one thing, and a word used in conversation or even in prayer is another thing. If a man will insist upon it that there is a prayer of this Church with the term council in it, then allow me to say that the term Catholic in the creed is understood to be equivalent, I suppose, to the word Universal. I ask the gentlemen if they are willing that any church in any Diocese shall, without the authority of the General Convention, change the term Catholic in the creed to the term Universal. Our Church has substituted Universal for it in one of the prayers for the admission of candidates to Holy orders — “who hast purchased for Thyself a universal church”; and in another prayer—“who hast purchased for Thyself a universal church by the precious blood of Thy dear Son”—that in the Latin corresponding is Catholic Church. More especially in our petitions in the Litany—“that it may please Thee to rule and govern Thy Holy Church universal in the right way.” In the Latin edition of the Prayer Book, that is “catholic.” Here then we have the authority of the Church in our own Liturgy that “Church Universal” is interchangeable with “Church Catholic.” Is it then a matter of no consequence that the term Catholic should be used in its place? I believe these very brethren who are so urgent that the term Council should be substituted for the term Convention, and would endeavor to thrust it in in this way, would be the last to give up the term Catholic and allow the term Universal to be substituted at will for it.

But you say this Prayer Book is established by the authority of the Church and cannot be changed one word or syllable without the authority of one General Convention referring the change to another General Convention and being made known to every Convention of the Dioceses, and adopted by a subsequent General Convention. That is true. So you cannot change Catholic in the Creed; you cannot change a word in the Prayer Book. But, we read also in the very next article of the constitution, that this constitution shall be unalterable unless a General Convention of our Church, by a majority of the Dioceses should have adopted the same. So the alteration is placed upon precisely the same grounds as an alteration of the Prayer Book.

I wish to have this point distinctly made and understood—Has the church in each Diocese a right to change even a word in the constitution? “Oh, no, not in the constitution, but they use different words for themselves.” Have they a right to use different words in their services and in their church? Can they substitute in their daily prayer the word Universal for the word Catholic? Can they substitute in their terminology in regard to their own convention the term Council? Must it not take its regular course through the General Convention? I do not inquire what they can do in the abstract; I mean to inquire what they can do constitutionally and rightfully. If the term Catholic might be changed, then the term Protestant Episcopal might be changed. [Reads from the Constitution about the organization of Dioceses.] Now the Convention of this Diocese in Nebraska was called as a Convention of the Protestant Episcopal Church of that Diocese. On the title-page of the proceedings of that Convention, it is called a “Convention of the Protestant Episcopal Church.” Its Journal opens with the recognition of its being a Convention of the Protestant Episcopal Church. It appears, therefore, that they have not abolished the name Protestant Episcopal but recognized it on the face of their Journal. But I ask the attention of the House to this step-by-step process. Here is a Convention of the Protestant Episcopal Church. They meet as a Convention of the Protestant Episcopal Church; they then adopt a constitution as the Diocese of Nebraska, and they declare as their title the Council of the Church of the Diocese of Nebraska; and I take it that is to be henceforth their title. They have resolved themselves into something else than a Convention of the Protestant Episcopal Church, and they come here asking for admission into communion with this Convention. It is not in my apprehension, any answer to my objection to say that they met as a Convention. They organized themselves under another name, and they come to us under that other name.

We have been told that this word Convention is a dirty word. Are we next to be told that Protestant is a dirty word? I know of men who have said—I have heard it said—that it was already something equivalent to that. I have not heard it in this Convention; I trust I shall never live to hear it said here; but it is uttered by some men who consider themselves connected with the Church, that they do not wish to be called Protestant. Now, suppose these gentlemen abolished the word Protestant or the word Episcopal. Suppose this Diocese of Nebraska had done this, and had styled themselves the Protestant Church in the Diocese of Nebraska, and had come to this Convention to be received into communion with this General Convention, I should object; and I should stand at the door and object as long as I had a right to object, that they could not be under our Constitution admitted as a “Protestant Church,” and if not as a Protestant Church, I would like to know if it improves the matter if they leave out not only Episcopal but also Protes-

tant? Now words are things, and nobody knows it better than those gentlemen who urge the proposed action. The evidence that they know it I have adduced—the importance they attach to this very change.

Rev. Dr. ADAMS: I ask liberty of the gentleman to correct a mistake that I believe he has made. You have said [addressing Dr. Goodwin] that the title of the Convention on the title page of the proceedings was "Convention."

Rev. Dr. GOODWIN:—I had not at the time the opportunity of seeing a copy of the Journal.

The Secretary read the title: "Journal of the Proceedings of the First Annual Council of the Protestant Episcopal Church in the Diocese of Nebraska;" and the first article of the Constitution: "This Church shall be called and distinguished as the Diocese of Nebraska;" and article second: "The Church of the Diocese of Nebraska accedes to the Constitution and Canons of the Protestant Episcopal Church in the United States of America, and recognizes the authority of the General Convention of the same."

Rev. THOS. C. PITKIN, D. D.:—I will simply state, as chairman of the Committee, that we considered the second article as carrying the name, because they accede to the constitution and canons of the Protestant Episcopal Church in the United States of America. I am not a lawyer, but I suppose that that would certainly carry the name with it.

Rev. Dr. GOODWIN. I had no opportunity to look at that document except at the secretary's table. I am glad to know its exact terms. I was uncertain whether it was entitled the Convention or the Council. We are told by the Chairman of the Committee that some hold was taken of the fact that they met as a Convention; but now it seems that even that hold is gone—they met as a Council, and did not resolve themselves into anything else.

As to another point—that they accede to the Constitution of the Protestant Episcopal Church, and that you must not go behind that. That is a curious sort of argument, when perchance it may stand on the face of the same document that they do violate that constitution. I suppose they accede to the constitution as they understand it; they choose to understand that when you say convention you mean council. I do not know that they have any right to do that. We mean what we say. Their saying they have complied with the Constitution does not really make it so. My argument is that they have not really conformed to the Constitution of the Protestant Episcopal Church in the United States of America.

It is alleged, in regard to the Constitution of the United States, that although the words are not identical, yet it is in accordance with the language in the Constitution of the United States and the interpretation of the action under it. I wish to say and show that the argument from analogy with the Constitution of the United States

is all the other way. The legislative power under the Constitution of the United States is declared to be vested in a Congress of the United States. We say that our legislative power is vested in a General Convention. Now, if the Constitution of the United States had gone on to speak of the Congresses of the different States, we should have had an analogy; but our constitution goes on to speak of conventions of the different Dioceses, using the same terms. But as the Deputy from New York has clearly set forth, the term *legislative* which the Constitution of the United States employed is intentionally a general term which will cover grand Congress, or general court, or general assembly, or whatever other name any State should choose to assign its legislature. It is intended to be a general term. There was, at the time of the adoption of the Constitution of the United States, a difference in the different States, in the designation of the Lower House in their Legislatures. In some, they were called the House of Burgesses; in some, the House of Assembly; in some, the House of Representatives. Now, suppose the Constitution of the United States having declared that its Congress should consist of a Senate and House of Representatives, should have proceeded to designate the Lower House in all the States, as a House of Representatives, that would have been analogous to our Constitution. But the Constitution of the United States very carefully abstained from so designating them. It took a roundabout form of expression to avoid it. They declared, for example, that the qualifications for electors of Representatives to the Congress of the United States shall be the same as the qualifications of electors for the members of the most numerous house in the State Legislature.

Message No. 3 from the House of Bishops was here received, informing the House of Clerical and Lay Deputies that the House of Bishops had adopted the following resolution.

Resolved, the House of Clerical and Lay Deputies concurring, that the Diocese of Nebraska be, and the same is hereby admitted into union with the General Convention of the Church in the United States.

A Deputy.—I think that settles the matter.

The President.—The gentleman will proceed with his argument.

Rev. Dr. Goodwin—continuing: That the Dioceses already in communion with the Church should change the nomenclature is one thing; our adopting the change is another thing. I hold they have no right to make the change. I am perfectly willing that the Diocese of Nebraska should be received. I was sorry from the first moment that there was any difficulty in the way. The question I have been discussing has been forced upon me by the amendment to the amendment.

JUDGE BATTLE. It is very well known that most of the old thirteen States had adopted Constitutions prior to the adoption of the Constitution of the United States. Now, when the Constitution of the United States



was adopted, did it not necessarily change the constitutions of all the States that were inconsistent in any degree with it? The moment the Constitution of the United States was adopted, of course that had the effect, *ipso facto*, to change at once everything inconsistent with it. Now if the Diocese of Nebraska have adopted the Constitution of the General Convention that, *ipso facto*, changes everything that ought to be changed in the Diocesan convention.

REV. DR. GOODWIN. The proposition is that the Constitution of the United States rendered null anything inconsistent with its provisions. I might admit it for my present purpose. My argument is, and was, that, inasmuch as the Constitution of the United States did not intend to dictate to the several States by what name the Lower Houses of their Legislatures should be called, it carefully avoided designating those Lower Houses by any name. We have designated the conventions of the Dioceses by names; there lies precisely the difference. The analogy utterly fails at that point. If the Constitution of the United States had designated the Lower House, the more numerous branch of the State Legislatures, as the House of Representatives, they would have been bound to style themselves the House of Representatives, by the authority of the Constitution of the United States.

JUDGE BATTLE. If the Constitution of our Church does not do the same thing, why not permit them to retain the name? The Constitution of the United States does not require the States to do it. If our Constitution is inconsistent with the name, it changes it.

REV. DR. GOODWIN. Our Constitution retains the name, and we stultify ourselves by receiving a Diocese that has abolished the name. What matters it that they say they accede to the Constitution when on the face of their acts it appears that they have not conformed to the Constitution? I am willing that the Diocese of Nebraska should be received according to the amendment to the original resolution which I would heartily second; but the amendment to the amendment I have endeavored to oppose.

REV. DR. ADAMS. I proposed an amendment and the Committee accepted it as a part of the first resolution.

THE PRES'T. The Committee had no right to do so.

REV. DR. GOODWIN. We have a message from the House of Bishops on this matter. Whether they have had the whole subject before them or not I know not. I know not upon what grounds they have acted, but I think it is fair to say that it is not for this house to be determined in its legislative functions by the vote of the House of Bishops; and I believe they do not expect us to be.

REV. DR. GOODWIN—then moved that the whole subject be postponed until the Committee on canons reported on this subject, which motion being seconded and the question being called for

JUDGE OTIS—remarked: Mr. President, the temper of this House is evidently to admit the Diocese of Nebraska. I have this morning set forth the legal objections in respect of change from the term Convention to the name Council, declaring at the same time that I wanted to admit this Diocese. The report of the Committee on New Dioceses to whom it was referred, admitting it, should be, in my opinion, adopted with a proviso. I have carefully drawn a proviso that will require the resolution of admission to go back to the House of Bishops. They having acted upon it, we may adopt this report of the Committee retaining our own views of the law in accordance with the view of the Committee on Canons, as announced by Dr. Mead, as chairman of the Committee. Two amendments have been offered. By referring to our rules of order, it will be seen that an amendment to an amendment may be offered, but no further amendment; but a substitute for these may be adopted. I propose this substitute to the report, to come in after the report as a substitute for the two amendments now before the House. I have submitted it to the Bishop of Nebraska, and it is satisfactory to him. It preserves our consistency as a Church of law and order. It does not require us to express any opinion as to whether Protestant and Catholic are equivalent, or whether you may leave out certain words of the baptismal service or from the Prayer Book. The substitute is this, to add after the resolution of the Committee the following proviso: "Provided, that in admitting the new Diocese of Nebraska, this House does not intend to sanction the change of name from that of Convention to Council by the Diocese of Nebraska unless and until the Constitution and canons of the General Convention are so changed in the manner therein provided, for amendments and alterations."

Gov. FISH made some remarks on the question of order, when

The President stated that the question before the House was the resolution offered by the Committee on New Dioceses.

HON. S. B. RUGGLES.—As one of the committee I claim to say, in justice to that committee, that when this subject was brought before them, this difficulty of the substitution of the word council for the constitutional word known to this Body, met the committee at once. We were oppressed by the difficulty, and we were unable to bring our minds to a satisfactory conclusion whether the objection was well or ill founded. We required the aid of the Committee on Canons. We raised the objection at once that we should be instructed, before we go any further, by that committee, selected for the express purpose of defining the constitution of this House, and on whose judgment I should be willing to rely. With all possible respect for our Right Reverend Fathers, the House of Bishops, I doubt whether they have examined that question with the scrutiny it will receive from the Committee on Canons of this

House. I, therefore, support the motion to postpone until that Committee on Canons can thoroughly examine the subject in order that we may not deliberately violate the constitution of this Church.

The president decided the motion of Dr. Goodwin to postpone out of order, since it was not to postpone to a definite time nor "indefinitely."

The question then recurred on the adoption of the substitute offered by Judge Otis.

MR. WILDER, of Minnesota.—I desire to say primarily, that the substitute really amounts to nothing; it is a perfect nonentity. We understand that the House of Bishops have admitted the Diocese of Nebraska to union with this body. The substitute is offered to preserve our dignity and self-respect. In my humble judgment our dignity and self-respect will be preserved by adopting the original resolution as it came from the hands of the Committee on New Dioceses. I do not think we are pre-eminently profound in legal or canonical lore beyond the House of Bishops. I do not think that the use of the word Council instead of the word Convention is of such essential and material importance as that we may not consistently with self-respect and consistently with its duty to the constitution of the Church, harmonize our action with the action of the House of Bishops. What conceivable reason is there that this Diocese of Nebraska may not be admitted into union with this body? Simply and alone because it has made its legislative body a council instead of a convention. That is all there is of it. Gentlemen may criticise, they may split hairs, they may talk about constitutional and canonical law, but the question is simply whether the Diocese of Nebraska has the right to change the name Convention to that of Council. It is simply said that the Church of the Diocese of Nebraska desire that their legislative body shall be known as and called the Council of the Diocese of the Protestant Episcopal Church in Nebraska instead of a Convention. I humbly submit, with all deference to the opinions of gentlemen more learned and experienced, that whatever seems to be anything more than that is hypercritical and the very embodiment of pre-eminent technicality. [Laughter].

JUDGE OTIS then withdrew the proviso and moved to lay the substitute on the table; which motion was carried.

JUDGE OTIS moved that this House take up the message of the House of Bishops; which motion was adopted.

REV. DR. HOWE.—I will occupy the time of the House but a single moment. I shall vote against concurrence, with very great regret, for I desire to admit the Diocese of Nebraska, and when I hear it reiterated in the very last speech that has been made upon this floor that the simple question is whether we shall admit them as the Council of the Church in Nebraska, or the Convention of the Protestant Episcopal Church in the Dio-

cese of Nebraska, then I am obliged to say I cannot vote for the admission because I find those terms in the constitution of this Church, and I am not ignorant of that fact.

THE PRESIDENT stated the question to be on concurrence with the House of Bishops, when

REV. DR. NORTON, of Virginia, moved to amend the resolution by the insertion of the words Protestant Episcopal before the word Church. When

A DEPUTY moved to amend the amendment by adding the proviso withdrawn by Judge Otis, which motion was seconded.

THE PRESIDENT decided a question of order that the resolution from the House of Bishops can be amended.

REV. DR. NORTON accepted the proviso offered by Judge Otis.

After remarks by Rev. Dr. Adams, and by another deputy,

The President said: The original motion was to concur in the resolution from the House of Bishops. An amendment has been offered to that to insert the words, "Protestant Episcopal" before the word Church in that resolution.

Question being taken upon that amendment, and a division having been called for, it was declared lost.

The question then recurred upon amending the resolution of the House of Bishops by adding the proviso offered by Judge Otis.

A motion to refer to a special Committee was laid upon the table.

The question recurred upon the proviso as an amendment; the vote being taken, at the request of Rev. Dr. Goodwin, by Dioceses and orders, the amendment was declared lost, the yeas and nays being almost equal.

The question recurred upon the concurrence with the resolution of the House of Bishops.

A motion to adjourn having been lost the vote upon the question was taken by Dioceses and Orders, and resulted in its adoption by a large majority.

#### FOURTH DAY.

Saturday, October 10th, 1868.

The Convention met pursuant to adjournment.

The Morning Prayers were read by the Rev. J. Mitchell, of Alabama, and the Rev. Dr. Beardsley, of Connecticut.

The benediction was pronounced by Bishop McIlvaine.

The House was called to order at 11 o'clock.

The names of delegates not previously present were called.

The journal of yesterday's proceedings was then read and approved.

Rev. Dr. Goodwin moved to refer to the Committee on Canons a resolution adopted by the Diocese of Pennsylvania with reference to the appointment by the Bishop of a permanent committee of presbyters to examine candidates for orders. Referred.



A deputy from Maryland presented the memorial of the diocese of Maryland with reference to the division of that diocese. Referred to the Committee on New Dioceses.

#### MOTIONS AND RESOLUTIONS.

Rev. Dr. Goodwin presented a memorial signed by the Rev. Dr. Muhlenberg and others with reference to the construction of Section 6, Canon 12, Title I., in regard to the officiating of ministers within certain territorial limits. Referred to the Committee on Canons.

Rev. Dr. Goodwin presented another memorial signed by Rev. Dr. Muhlenberg and others, asking that Canon 11, Title I., be repealed. Referred to the Committee on Canons.

A deputy offered the following resolution:

*Resolved*, That the Committee of Arrangements be, and they are hereby, requested to inform this House why there was no music at the services this morning, and whether the services for the remainder of the session are to be conducted in the same manner.

Rev. Dr. Bailey, of the diocese of Vermont, presented a petition and accompanying resolutions from the diocese of Vermont, asking permission of the General Convention for the taking of a copy, by the Rev. Dr. Bailey, of the late Bishop Burgess's list of names of persons admitted to Deacon's orders in the Protestant Episcopal Church in the United States from the time of its establishment down to a comparatively recent date.

Similar petitions having been presented from the diocese of Maine, on motion, these memorials and resolutions were referred to a special committee of three, subsequently appointed by the President.

Rev. Dr. Stubbs, from Illinois, asked to have referred to the Committee on Canons a proposed alteration of Canon 13, Title I., Section 14, on page 58 of the last Journal of the Convention.

An amendment was accepted asking the Committee on Canons to inquire what are "extraordinary occasions;" and another amendment was accepted, which was proposed by Rev. Dr. Goodwin, that the Committee on Canons should inquire whether any change be necessary to make the Canon referred to and Canon 20, on page 69 of the Journal consistent. The resolution was then referred.

Rev. Dr. Stubbs offered a resolution that no church or chapel shall be consecrated at any time before sufficient evidence be furnished to the Bishop that the building to be consecrated is free from debt, and that a church once consecrated to the service and worship of Almighty God shall be separated from all unhallowed, worldly, and common uses, and that it shall not be removed, or disposed of, or taken down, unless permission be first obtained from the Bishop acting by the advice and with the consent of the Standing Committee of the diocese, and that the title to such consecrated building shall be so secured that it can not be alienated by sale, without the consent of the Church. Referred to the Committee on Canons.

Rev. Dr. Stubbs presented a resolution from the Diocesan Convention of Illinois in favor of the early adoption of a provincial system of Church organization, and in favor of changing the name Convention to Council.

Rev. Dr. Haight, from the Committee on Canons, reported that the committee having considered the said memorials, are unanimously of the opinion that it is inexpedient at the present time for the General Convention to enter upon the subject thus presented, and accordingly they recommend no action on the part of this House, and ask to be discharged from the further consideration of the subject.

On motion, the committee were discharged.

Hon. S. B. Ruggles, of the diocese of New York, offered the following resolution:

*Resolved*, That there be a Standing Committee of this House, to consist of five clerical and four lay deputies, to be denominated the Committee on the Foreign Relations of the Church, who shall consider and report upon any proposition or subject connected with the intercourse, intercommunion, or synodical union of this Church with any other portion of the Church Catholic throughout the world.

On motion, the resolution was laid on the table until Wednesday next at 12 o'clock, when it is made the order of the day.

Rev. Dr. Abercrombie, of the Diocese of New Jersey, offered the following resolution:

*Resolved*, That Canon 20, Title I., be amended by adding "but whereas peculiar circumstances may exist in some parishes or missionary stations which may render deviation from the prescribed forms of the Morning or Evening Prayer expedient on special occasions, therefore, the bishops of this Church shall have power in their respective dioceses to allow, for such special occasions, selections from the Book of Common Prayer approved by themselves, to be used instead of the prescribed forms of the Morning or Evening Prayer."

Referred to the Committee on Canons.

Rev. Mr. Harrold, of the diocese of Florida, moved an amendment to the effect that the House of Bishops be requested to set forth a service which may be used on other occasions of public worship than Sundays.

The President suggested that the resolution should be presented as a separate one.

Dr. Abercrombie's resolution was referred to the Committee on Canons.

The following resolution was referred to the mentioned committee:

*Resolved*, That the Committee on the Prayer-Book be instructed to inquire whether the last period but one in that part of the Holy Communion Office known as the Invocation, ending with the words, "That He may dwell in them and they in Him," does not contain a grammatical inaccuracy, originating in a typographical error, and whether the words ought not to be "That He may dwell in us and we in Him."

A resolution was adopted inviting to seats in the Convention clerical representatives of the Church in foreign countries who might now be in the city.

The following resolution was referred to the Committee on Canons.

*Resolved*, That it be referred to the Committee on Canons

to inquire whether any change is required in section 5, Canon 13, Title 1, relative to the election of assistant Bishops, and if so, report the same to this House, in shape for their action.

Rev. Dr. STUBBS, of New Jersey—I beg to refer to the Committee on Canons, Canon 13, Title 1, paragraph 5. The section reads (p. 50 of the last Journal): Any Bishop or Bishops elected and consecrated under this section, shall be entitled to a seat in the House of Bishops, and shall be eligible to the office of Diocesan Bishop in any unorganized Diocese within the United States; and whenever a Diocese shall be organized within the jurisdiction of such Bishop, if he shall be chosen Bishop of such Diocese, he may accept the office without vacating his missionary appointment, provided," &c. The alteration I propose is this: "Any Bishop elected and consecrated under this section shall be entitled to a seat in the House of Bishops." I propose to omit the other part of that paragraph. Then to the other part: "And whenever a Diocese shall have been organized within the jurisdiction of such Missionary Bishop," I propose to add: "he shall be the Bishop of such Diocese, and he may accept the office without vacating his missionary appointment." I propose this for the consideration of the Committee on Canons. If it should meet with their favorable consideration and the favorable consideration of this House, it will prevent, I think, one of the greatest evils to which this Church is now exposed—namely, that of the translation of Bishops.

Mr. WALLACE, of the Diocese of Missouri, offered the following resolution:

*Resolved*, That the Committee on Canons be requested to inquire into the expediency of reporting such amendment to Canons 9 and 10, Title 1, as shall remove therefrom the discriminations made in favor of ministers ordained by Bishops not in communion with this Church and against ministers ordained in foreign countries by Bishops in communion with this Church, when such ministers desire admission to the communion of the American branch of the Church. Referred.

Rev. Dr. LITTLEJOHN—offered the following resolution, referred to the above mentioned Committee:

*Resolved*, That the third article of the Constitution of the Board of Missions be referred to the Domestic and Foreign Missionary Committee of this House, to inquire if there be any ambiguity of expression in article third, seriously impairing the sense thereof; and if there be such ambiguity, to report such changes of phraseology as may be necessary to remove it.

Rev. Mr. HARROLD, of Florida, offered the following preamble and resolution:

*Whereas*, it has been found difficult to fulfill the daily order for Morning and Evening prayer because of the supposed length of the services alike burdensome to the clergy and people under the present social arrangements, and whereas many of the clergy and people are desirous of enjoying the privilege of daily prayer,

*Resolved*, That the House of Bishops be requested to prepare a service for morning and evening use as nearly after the short Matin and Evening song services of the primitive times as shall seem to them best which shall be allowed for use on other days than Sunday.

On motion of Rev. J. S. Hanckel, of South Carolina, this resolution was laid on the table.

Rev. Mr. HARROLD was permitted to explain that he did not say that the services were burdensome but alluded to the supposition of others. His object was to show that he disapproved of that and that it was disapproved of by those who voted to sustain the resolution. It was not his intention to express an idea against the services, but to meet every supposable case he offered the resolution.

Rev. Dr. GOODWIN—moved that when the hour of recess arrives the House adjourn to Monday morning, at 10 o'clock.

Rev. Mr. M'Kim, of the diocese of Delaware, offered the following resolution:

*Resolved*, as the opinion of this House of Clerical and Lay Deputies, that so long as the sittings of this convention continue to be held in Trinity Chapel no departure be made from the usual method which obtains in said parish of rendering the musical parts of the services in the order for daily morning prayer and resolved that, the House of Bishops concurring, the choir of Trinity Chapel be, and is hereby requested to give their assistance in the music as heretofore during the session of this convention.

On motion the resolution was laid upon the table according to the decision of the President, and a division being called for, the motion prevailed.

Rev. Dr. GOODWIN—asked for a division of the question, but the President decided that there was no time, as the hour for adjourning had nearly arrived, to entertain the motion.

Rev. Dr. HAIGHT. I desire to say one word in explanation of what has happened. I wish to be distinctly understood that the change made in the musical part of the services was not made by the request directly of any person or persons connected with this convention, but that my Reverend brother who is in charge of this chapel as assistant minister, having understood that the consciences of certain members of this convention were troubled by our boys appearing to take their part in divine worship in the accustomed manner, stated that he would, of his own motion, request them not to appear this morning, for the sake of peace, that this convention might not be disturbed with questions of this sort. It was a great sacrifice for him to make. It was a great sacrifice on the part of the people of this chapel who come here from morning to morning. To me it is a great sacrifice, as one of the ministers of this parish, accustomed to worship here day after day. But if there are those in this House who cannot come here and worship Almighty God according to our mode, then I, for one, though I cannot understand such feelings and never had them myself in going into another parish, am willing to make the sacrifice; and my brethren are willing; and so are my people of this chapel. That is the whole statement of the case. What might have been done if my brother had not taken this course, I do not know. I fear that something unpleasant would have happened;



but I thank God that nothing has happened except the manifestations of the bitterness of some members of this House to-day.

THE PRESIDENT—declared the House adjourned to 10 o'clock on Monday morning.

#### FIFTH DAY'S PROCEEDINGS.

MONDAY, Oct. 12th, 1868.

The Convention met pursuant to adjournment.

The Morning Prayers were read by Rev. Dr. Adams, of Wisconsin, and Rev. W. C. Williams, of Georgia.

The Benediction was pronounced by Bishop Whittingham.

The journal of Saturday's proceedings was read and approved.

#### REPORTS OF COMMITTEES.

Rev. Dr. Thomas C. Pitkin, from the Committee on New Dioceses, reported in favor of the division of the Diocese of Maryland by the formation within its limits of a new Diocese, the name of the new Diocese to be determined by the Diocesan Convention, with the concurrence of the Bishop and the Standing Committee of the Diocese of Maryland; the division to take effect when the Bishop shall call the Convention.

On motion the preamble and resolution reported by the committee were adopted.

#### PETITIONS AND MEMORIALS.

REV. DR. ALFRED STUBBS presented a memorial from the Diocese of New Jersey, on the subject of clerical support.

MR. WILLIAM WELSH, from the Diocese of Pennsylvania, moved that arrangements be made for holding the session of the House to-morrow morning in the Church of the Transfiguration.

MR. LACEY moved to lay this motion on the table. Lost.

A motion to indefinitely postpone the subject was withdrawn, and substituted with

A motion to refer the subject to the Joint Committee on Removal, with instruction to report as early as practicable. Adopted.

#### ORDER OF THE DAY.

The PRESIDENT announced as the order of the day—the election of a committee on the part of the House to co-operate with the Committee of the House of Bishops in nominating a Board of Foreign Missions.

On motion, balloting was dispensed with, and

On nomination, by Rev. Dr. Littlejohn, the following named gentlemen were elected as said Committee:

Rev. Dr. Paddock, of the Diocese of Michigan.

Rev. Dr. Huntington, of the Diocese of Massachusetts.

Rev. Mr. Pierce, of the Diocese of Alabama.

Judge Otis, of the Diocese of Illinois.

Judge Battle, of the Diocese of North Carolina.

Mr. McWhorter, of the Diocese of Western N. York.

Mr. Wm. Welsh, of the Diocese of Pennsylvania.

Rev. Dr. STUBBS again presented the Memorial from the Diocese of New Jersey, based upon a resolution offered by Mr. Ruggles at the session of this Convention in 1865, namely—

*Resolved*, On the part of the Lay Deputies of this House, in view of the increased cost of living, it is the opinion of the lay members of the House that the salaries of the Clergy ought to be increased at least one-half from the amount heretofore paid in coin.

On motion, the memorial was referred to a Special Committee of five Lay Deputies.

A message from the House of Bishops, informed the House of Clerical and Lay Deputies that the House of Bishops had appointed a committee of three Bishops to act with the Committee of the House of Clerical and Lay Deputies, as a Joint Committee to nominate a Board of Missions.

Rev. Dr. THEODORE BARCOCK presented the following resolution, unanimously adopted by the Diocese of Western New York, at its annual session in August, 1867:

*Resolved*, That the General Convention be requested to enact a permissive Canon, authorizing a general council of the Dioceses of the State of New York. Referred to the Committee on Canons.

JUDGE CONYNGHAM, of the Diocese of Pennsylvania:—I hold in my hands a number of memorials—twenty or more—which have been sent to me to present to this House. They are signed by a large number of individuals calling themselves Laymen of this Church. They represent that, in certain instances, their rights as Churchmen are affected, and conceiving this convention to be the proper source of relief, they send their memorials here, upon the same principle that, when civil rights are affected, we apply by petition or memorial to the civil authorities. They apply to this House, or rather to the two Houses in convention assembled here, for the purpose of seeing whether it is proper that any remedy should be furnished them, or whether they need any remedy.

I will read, by the permission of the House, one of the memorials, and then will submit the form of a canon that has been sent to me, or rather one that has been somewhat modified by myself, merely as the basis of action for the committee to whom it will be referred—the committee on canons rather than for any other purpose. In relation to that matter, I hold my own opinions, not considering myself bound by anything offered in the present memorials. My own action will depend upon my own judgment in regard to the propriety of the action here asked for. [Judge Conyngham then read the Memorial]. I have read one of these memorials. As a basis for the action of the committee I would submit a canon for the purpose of their consideration embodying some suggestions to which, as understood, the memorialists refer:

CANON ON THE MANNER OF CONDUCTING DIVINE WORSHIP.

SECTION I. No ministerial vestments shall be worn by

any minister during divine worship or when present at or officiating in any rites or ceremony of this Church excepting surplice, stole, bands or gown, which shall be used as heretofore accustomed on the regular occasions of worship, and at the discretion of the minister may be used at rites and ceremonies; and no ecclesiastical vestment shall be worn on occasion of divine worship or Church ceremonials by choirs or other assistants therein, provided this section shall not be construed to relate to Episcopal vestments.

SECTION II. Candlesticks, crucifixes, super-altars so called, made of wood, metal, or other substances, shall not be used, or suffered to stand upon or hang from any Communion-table as part of the furniture or decorations thereof.

SECTION III. Bowing at the name of Jesus, except in repeating the Creed; turning or bowing towards the Communion-table except so far as now enjoined by the Rubric; making the sign of the Cross, except in baptism; the elevation of either of the elements during Holy Communion, or of the alms or oblations of communicants; processional singing in churches except as provided by the Rubrics; and the use of incense in and during the conducting of Divine service—are all hereby declared unlawful.

JUDGE CONYNGHAM, continuing;—Mr President, I move that these memorials and the proposed Canon be referred to the Committee on Canons to report thereon. I have nothing to say further than that these gentlemen—and there is a large number of them, some of whom I know to be highly respectable and of high standing in our Church, as laity—present these memorials for the consideration of this House. They are entitled to a hearing. They desire that this subject may be submitted to the proper authority.

REV. CHARLES BRECK—inquired whether the several memorials were verbally the same.

JUDGE CONYNGHAM—replied that they were, except that, in some, the words “in this diocese and other dioceses” were erased.

REV. CHARLES BRECK.—I will make a few remarks concerning the memorials from Delaware. They came, as I understand, from the City of New York. The memorial declares that “there is great scandal and dissension in the Diocese of Delaware on account of this variety of worship, dress, &c., in the Church.” I read this memorial the day before I came to this Convention. I read it to the Bishop of the Diocese. I took it to one or two gentlemen who had been circulating it, and I asked them whether it was true that there had been any scandal or dissension in the Diocese of Delaware, and they had to acknowledge there was none; and they said that this paper had been hastily signed, they were busy, and had not time to reflect upon it, etc. I object most solemnly to such papers being sent into dioceses that are at peace, papers concocted in the City of New York, and sent down to our people to be signed, to be brought in here to be referred to the Committee on Canons.

JUDGE CONYNGHAM.—I now hold one of these memorials signed by a number of gentlemen from Wilmington, Del. There is an erasure of the words “in this Diocese.”

REV. MR. BRECK.—I can tell this Convention that I have been informed by a number of gentlemen who

signed the memorial that they would not have touched that paper if they had reflected upon it. The erasure has been made because I drew their attention to it. I, therefore, submit to this House whether such papers sent from a city outside of a diocese to create dissension and division in that diocese, should even be referred to the Committee on Canons. At any rate, I feel bound to make these statements that the committee may know what they are acting upon.

The House then took a recess; after which—

JUDGE BATTLE—moved to postpone the subject of the reference of the memorials presented by Judge Conyngham, to allow the Committee on Removal to report. Adopted.

REV. DR. MAHAN—on behalf of the committee charged with the selection of a place for the daily sessions of the House of Clerical and Lay Deputies to whom was recommitted a former report, reported

*First*—That a place possessing better acoustic qualities [than Trinity Chapel] can be secured at the Church of the Transfiguration, 29th St., 5th Avenue, which has been kindly tendered since the former report.

*Secondly*—That the place now offered for our use, while possessing all the advantages of the one previously mentioned [St. Mark's Church], has the additional recommendation of being within easier reach of the House of Bishops.

Your committee, therefore, recommend the adoption of the following resolutions:

*Resolved*, That, the House of Bishops concurring, after the recess to-morrow, this House meet for its future sessions at the Church of the Transfiguration.

*Resolved*, That the cordial thanks of this convention be tendered to the Rector, Wardens, and Vestrymen of Trinity Chapel for their generous and hospitable provision for the comfort of both Houses, and also to the Committee of Arrangements for their indefatigable exertions and kind attentions.

*Resolved*, That Mr. William Welsh, and the Rev. R. M. Abercrombie be appointed a Committee of Arrangements.

Many deputies expressed their appreciation of the liberality and assiduous attentions of the Rector, Wardens, and Vestrymen of Trinity Chapel, and regretted that the requirements of the convention necessitated a change of place.

Upon motion, the report of the committee was adopted.

GOV. FISH—reported, from the Committee on Canons, certain proposed amendments of the Constitution and Canons. Of them he said: The Convention will observe that the committee recommend the transfer from the constitution to a canon of that portion of Article 5 of the constitution which was complained of [by various memorials referred to the committee] as too restrictive in the formation of new dioceses. In proposing the transfer from the constitution to a canon, they also propose to eliminate requirements that the requisite number of existing parishes shall be self-supporting and to reduce the number now required from fifteen to six. In other respects, the canon as proposed by them will be



the same as the present provision of the constitution. As a substitute in the constitution for this restriction thus taken out, they propose that every new diocese shall make before consent is given to its creation some provision for the support of the episcopate, to be approved by the convention. There is also some verbal amendment, to remove question as to whether a diocese may be divided into more than two dioceses.

On motion, this report was made the order of the day for Thursday, at 12 o'clock.

The subject of the reference of the memorials presented by Judge Conyngham being under consideration.

Rev. Dr. ADAMS said:—I have read over very carefully this memorial which was presented by the gentleman from Pennsylvania; and I find that it is respectful to the House and to the President, and Constitutional, as I suppose, in every way. I, therefore, can have no objection whatsoever to its reference to the Committee on Canons. I have also listened to its [proposed] canon, and I have no objection to its reference also. But, at the same time, I have to say a few words to this Convention, which perhaps will make clear the position I am going to take when the matter comes into debate, which I suppose it will do when the Committee on Canons report. I take it that this Church to which we belong is a National Church, according to the doctrines laid down by Murray Hoffman, the most distinguished of our canonists hitherto, and has a right to decide upon her own rites and ceremonies and vestments. I take it, also, that the matter on hand is simply a matter of aberration on the right and on the left. There is a certain class of men who have perhaps made a movement towards Geneva—men who are Calvinistically inclined. They have had their ritualism—(I must say I know something about it); and a strange ritualism it is indeed, and just as contradictory of the canons and rubrics and laws of the Church, as the ritualism on the other side. I will say, therefore, that I calculate that in this House, when the debate comes on, as come it must, there will be fairness and honesty. We should intend to make as much allowance for one side as for the other. We should make no laws that shall oppress or stigmatize one side as uncanonical, uncanonical, unless the same law applies in the same way to the other party; that is to say, the canon or legislation should be in favor of a uniform ritual all around. I will also say that I think that in this Church and in this House there is such a degree of honesty and fairness that when the discussion commences, we, the General Convention of the Protestant Episcopal Church in the United States will be found neither on one side nor the other, but in behalf and on the side of the vast body of the Church who have no tendency towards Unitarianism, Romanism, Methodism, or Calvinism. One more remark I would make, that I think it is very likely this may result in a rather excited debate, in which we may worry one another without coming to any tangible result—merely laying it on the table.

I take this opportunity of declaring, that the debate will afford the Church the opportunity of doing what every other Church in the world has done—Greek, Roman, and every other Church—prescribing a proper and suitable ecclesiastical set of vestments for its clergy. I myself will take the opportunity of bringing this question up in order to make the debate fruitful, if the House gives permission. I think we ought to have a permanent committee on rites and rituals. They have such in the Greek and in the Roman Church; and I think we ought to have such here. Instead of having a fruitless debate in which gladiators and combatants on one side or another will worry one another with mutual oburgations and reproofs, this debate when it comes, ought to be fruitful; and, therefore, I take the chance of saying that I think we ought to have vestments prescribed for the clergy in all the dioceses of the Church, and that we should have a committee on rites and ceremonies. Having made this explanation, I am perfectly content that the memorial presented by Judge Conyngham and also the canon, should go before the Committee on Canons.

Rev. Mr. HARROLD, of the Diocese of Florida—proposed to offer a resolution as an amendment.

The PRESIDENT suggested the inconvenience of the course, and that it should be separately offered—which suggestion was adopted by Rev. Mr. Harrold.

The PRESIDENT announced the appointment of Rev. George C. Betts, of the Diocese of Nebraska, as a member of the Committee on the State of the Church.

The Committee on Clerical Salaries was announced as follows:

J. H. Thompson, M. D., of New Jersey.

Hon. S. B. Ruggles, of New York.

Mr. J. W. VanNostrand, of Nebraska.

Geo. C. Shattuck, M. D., of Massachusetts.

Mr. B. J. Barbour, of Virginia.

A message from the House of Bishops gave information of their concurrence in the removal of the House of Deputies to the Church of the Transfiguration.

REV. MR. HARROLD, of Florida—offered the following resolution:

*Resolved*, that it be referred to the Committee on Canons to consider the question of departure from established usage by omission of any portion of the service already prescribed. Referred.

REV. DR. MEAD—offered the following preamble and resolution:

*Whereas*, the restoration of the unity of the Church is an object of vast importance, as without restored unity it will be impossible for her perfectly to fulfill her mission or to evangelize the world; and—

*Whereas*, in the opinion of many the signs of the times clearly indicate that there is a strong and increasing desire among the churches and in various denominations of Christians in Christendom to see such unity restored—therefore—

*Resolved*, the House of Bishops concurring, that a Joint Committee of the two Houses constituting the General Convention, which committee shall consist of an equal number of Bishops, Presbyters, and Laymen, be appointed as an or-

gan of communication with other branches of the Church and with different Christian bodies who may desire information or conference on the subject; the said committee to be entitled the Commission of the Protestant Episcopal Church in the United States of America on Church Unity.

DR. MEAD—moved that the resolution be considered at once.

MR. RUGGLES—said that the resolution offered by him on the 10th instant for the appointment by this House of a Committee on the Foreign affairs of the Church had, for its object, to secure the necessity of concurrence by the Clergy and the Laity of this House with the House of Bishops in any proposed Synodical Union of this Church with any other branch of the Church Catholic. That resolution was made the order of the day for Wednesday next. Believing that the present resolution would more directly and fully effect the object desired, he would now move to withdraw the resolution offered by him for a "Committee on Foreign affairs," and would second the motion of Dr. Mead that the contemplated joint committee of Bishops, Clergy and Laity, be considered and passed at once.

The resolution was therefore passed unanimously.

REV. DR. HAIGHT—offered a resolution to inquire concerning the plates of the Standard Edition of the Book of Common Prayer, and whether any alterations had been made therein, and if so what they are.

Referred to the Committee on the Prayer Book.

REV. DR. COOKE—from the Committee on the Consecration of Bishops, reported that the testimonials of Rev. Chas. F. Robertson, Bishop elect of the Diocese of Missouri, were satisfactory, and offered a resolution giving consent to his consecration.

Which resolution being adopted, the Deputies proceeded to sign the certificate to be presented to the House of Bishops.

A message from the House of Bishops gave information of their concurrence in the division of the Diocese of Maryland.

The House then adjourned to 10 o'clock to-morrow.

#### SIXTH DAY'S PROCEEDINGS,

Tuesday, October 13th, 1868.

The Convention met pursuant to adjournment.

Morning Prayer was said by the Rev. Robert A. Hallam, D. D., of Connecticut, and the Rev. Chas. Breck, of Delaware.

The Benediction was pronounced by Bishop Whitehouse, of Illinois.

The Journal of yesterday's proceedings was read and approved.

REV. DR. MEAD, of Connecticut, offered the following resolution:

Resolved, that the secretary of this House be and is hereby directed to transmit to the House of Bishops the testimonials in favor of the Rev. Chas. Franklin Robertson, S. T. D., Bishop elect of the Diocese of Missouri; the said testimonials having been signed by a constitutional majority of both orders of this House. Adopted.

MR. WELSH, of the Committee to supervise Removal

of the Convention to the Church of the Transfiguration, reported that all necessary arrangements had been made for the meeting of the Convention after the recess.

The Committee on Elections reported that there had been laid before them the certificate of the election as Deputy to the Convention, of Mr. Frederick W. Brune, in accordance with the usages of the Dioceses of Maryland, and that he is entitled to a seat in this House.

REV. DR. HAIGHT—made the following report:

The Committee on Canons to whom was referred the memorial concerning section 6, Canon 12, Title 1, having considered the same, do respectfully report the following amendment of the said canon, and recommend the following resolution upon the subject for adoption by this House.

Resolved, the House of Bishops concurring, that section 6 of Canon 12, Title 1, of the digest be amended by inserting in line 20 of said clause immediately after the words "shall be necessary" the following words, namely, "but nothing in this canon shall be construed to prevent any clergyman of this Church from officiating in any parish church or in any place of public worship used by any congregation of this Church with the consent of the clergyman of any church or of such congregation, or in his absence, the church wardens and vestrymen or trustees of said congregation or a majority of them.

DR. HAIGHT moved to make it the order of the day for Friday next; but said he would withdraw the motion if the House were prepared to consider the subject of the report at once.

JUDGE CONYNGHAM:—I would suggest that it is better to leave it as it is until Friday. There may be some question coming that will lead to a debate of this subject.

On motion of Rev. Dr. Haight, Resolved, that the report of the committee be printed and made the order of the day for Friday next.

REV. DR. MAHAN—made the following report:

The Committee on Canons to whom was referred the memorial concerning Canon 11, Title I, having considered the same, do respectfully present the following report: The memorial asks for the repeal of the canon aforesaid, on the ground that the canon is differently interpreted in our Church, that it is of difficult application to lay-readers, and that it is unnecessary and inexpedient. The Committee on Canons are of opinion that some canon to prevent persons from officiating in this Church who are not ministers or even members thereof, is highly necessary and expedient, and the necessity of some such prohibition being granted we doubt whether any words could express it more clearly than those of the present canon. As to lay readers, they have never been regarded as officiating in the sense of Canon 11, and their case is provided for in another canon. The committee, therefore, can not recommend that the prayer of the memorialists be granted.

The committee further report that in their judgment it is expedient to make the title of the said canon conform to the text of the canon; and they recommend the adoption by the House of the following resolution:



Resolved, the House of Bishops concurring, that the Title of Canon 11, Title I., be amended so as to read, "Of persons not ministers of this Church officiating in any congregation thereof."

REV. DR. MAHAN (continuing).—At present, the title is merely an abbreviated title: "of persons not ministers officiating." We propose merely to fill it up according to the text of the canon itself, thus: "Of persons not ministers of this Church officiating in any congregation thereof."

REV. DR. CRANE, of Rhode Island.—moved that the report be made the order of the day for Saturday, and that it be printed.

THE PRESIDENT.—suggested that as there was no order of the day for to-morrow it would be well to have it made the order of the day for to-morrow, and that the printing would be unnecessary since the proposed alteration was so slight.

REV. DR. CRANE:—It has been suggested to me that as it is a subject kindred to that of the order for Friday, it should be made the order of the day for Friday immediately following the other. As to printing I withdraw that part of my motion.

REV. DR. GOODWIN.—suggested certain reasons for careful deliberation of the proposed change. The 7th article of the constitution provides that "no person ordained by a foreign Bishop shall be permitted to officiate as a minister of this Church until he shall have complied with the canon in that case made and provided, and have also subscribed to the aforesaid declaration" with regard to the Holy Scriptures. If the title of this canon is to be "Of persons not ministers of this Church officiating," it will apply directly to ministers of the Church of England, and they will be prohibiting from thus officiating without doing certain things required by this canon, and the constitution would require them to do something more. It will be seen that officiating as ministers of the Church is now understood by us to mean not as a transiently officiating minister, but as settled ministers; but in the mean time, the canon using the same forms, is likely to lead to a different conclusion.

MR. WM. WELSH, of Pennsylvania. There is another reason for deferring the consideration of this matter. It is this: The committee have given an interpretation of the canon; and a partial interpretation is a very dangerous thing. I have no objection to the canon as it stands. The only thing I object to is the committee's interpretation. They speak in their report of the lay-reader, referring to other authority given to certain lay-readers. It is well known that this Church has been using another class of readers who are not official lay-readers—those to whom the Bishop has no distinct authority to grant a commission; and there is hardly a Bishop of the Church that does not use such. Some of tender consciences have refused to read the services, though directed by their Bishop and their clergy. When first requested to do it, I positively refused, believing it to be contrary to the spirit of the canon. That can-

on was interpreted to satisfy me; but if this report as made by the committee is received as the interpretation of the canon, it will throw difficulties in the way of laymen acting for their ministers, or at the request of their Bishops in what is called by many officiating. They do read the services and sermons; and I know cases of laymen being directed to do more than read sermons—to exhort and preach. Now, if that be right, I sincerely hope that the Committee on Canons will be willing to have it recommitted to them that we may have the true interpretation of the canon. All are aware that the Protestant Episcopal Church is now waking up to a progressive work. But if this interpretation goes forth, I apprehend it will throw difficulties in our way, when I know it is not the intention of a single member of the committee to do it. Therefore, I would be glad to move, if not deemed discourteous, that it be the order of the day for Friday, after the other canon is disposed of, and in the interval to be recommitted to the committee.

REV. DR. HAIGHT:—We are perfectly content to take that course. I will only say that the committee have had it under consideration several times, and I believe the committee are entirely unanimous in the present report. Still we are perfectly willing to take it back and think it over again.

REV. DR. MAHAN. If it be recommitted to us, the other case spoken of should be brought before us distinctly. Besides lay-readers, there are other kinds of officiating persons spoken of, that we have not had brought before us at all.

MR. WILLIAM CORNWALL, of Kentucky. I would like to find where the canon is defining the duty of lay-readers. I never found any canon requiring the lay-reader to take out a license, or defining what parts of the service he may read. I think this ought to be attended to and referred to the Committee on Canons with instructions to report what are the duties of lay-readers, what part of the service they shall perform, what part of the church they shall occupy, etc.

MR. WELSH. I am satisfied with the canon as it is, with its present title, if the committee will withdraw that report. But there is the report and the interpretation of the Canon, that the word *officiating* means, as I understand it now, representing the office of minister; if I in any way represent the minister in his office, then I officiate.

REV. DR. MEAD. From my own experience, I can say that the custom of the Church for nearly fifty years has been that the Bishop of the Diocese has given a license to any layman he thought a proper person to conduct the services of the Church as a lay-reader; and under such circumstances, if any gentleman desires a special canon authorizing the Bishops to do that which they have done from time immemorial, it can be passed; but there is no question nor difficulty on the subject. I believe there are laymen of this House who went to their parishes last Sunday (their Rectors being

confined here), and conducted the services—whether with the authority of the Bishop or not, I know not; but it is not an uncommon thing for such persons to take the place of the Rector in our churches. I will give one instance. Some years ago, being severely afflicted by dyspepsia and a nervous excitability which would sometimes deprive me of the power of speech, I was about coming into my chancel when one of those attacks came upon me. I sent for the sexton and told him to go to the senior warden and tell him I wanted him to read the service. But, by the time he got there, I was able to perform the service myself. I felt I was not violating any rule by doing such a thing. My excellent friend from Pennsylvania [Mr. Welsh] may readily understand that there is no danger of such laymen as he being interrupted in their service as lay-readers.

No amendment is offered to the canon except a simple amendment in the title, which it is thought would more clearly define the meaning and intent of the canon. I am myself perfectly satisfied to let the canon stand, title and all, as it is.

REV. DR. ADAMS, from Wisconsin. There is no need at all, it seems to me, of referring back to the Committee on Canons their report and resolution, when there was profound inquiry, and when they have fully made up their minds, so that if it is referred back to them they can simply give the same report, *verbatim et liberatim*. I must say, also, that I think making this the order of any future day is another waste of time. I conceive that this question can very easily, without injury to conscience, be passed upon now. The verbal amendment which the committee has proposed is a very plain thing. The intention of the canon is to prevent people, whether congregations or clergy, being deceived by men coming forward and pretending to be ministers of the Church of England or of our own Church and officiating thereby.

REV. DR. CRANE.—If I understand the position of this matter, it is this: upon the report of that committee being submitted, I have made a motion that it shall be the order following the order of the day for Friday; and I submit to the House—Is it fair to go into a discussion of the merits of the question, simply when I have asked that it shall be referred and made the order of the day for a future day?

THE PRESIDENT: There was another motion connected with that motion—a motion to recommit; and that is a debatable motion, of course.

REV. DR. ADAMS:—I would say that on the other side of the House, this question has already been discussed as to its merits; and it seems to me that I am not out of order in discussing the merits of this question. Now, I will say with regard to this canon, that I have known such a circumstance as this in the West. I have known, by good evidence, of a valet of an English Bishop—who was a gentlemanly-looking valet as many valets

are—who stole his master's sermons and clothes, and came into a Western diocese, and there he appeared as an English clergyman; and they were too modest or too respectful, or felt this canon oppressive, and therefore did not ask him for his testimonials; and there that man officiated for the major part of a year until his Bishop incidentally met him in the Diocese, and he was driven out, after he had committed blasphemy for the course of a year by falsely representing himself as a minister of the Church. I have known many instances of a similar kind. I have known of an instance of a minister of a church to whom a man represented himself as a clergyman of the Church, and he was admitted to officiate for that minister transiently; and the minister was too modest to ask him for his testimonials; and, by-and-by, it was found that he was a man of the worst possible character—a mere adventurer. I say that this canon in every respect is a good canon, and properly understood, there is no difficulty about it whatsoever, and it needs no alteration in any way. I will say it refers to transient ministers, and to those who come forward with the idea of becoming permanent ministers of the Church. I do think there can be no objection to it—that it is as plain as can be; and think that the mass of this Convention understand that, putting in the words which the Committee on Canons have recommended as merely an amendment of the title expressing the distinct and plain sense of the canon, it will be right and just, and according to the sense of this General Convention, and that we need not make any trouble or waste any time which is so valuable, in discussing this matter any further or in referring it back unnecessarily to the Committee on Canons, or in making it the order of the day for any future day. I do think that we can go in and with clear consciences insert the words, "Of persons not ministers of this Church officiating in any congregation of the same;" and in doing so, I think that this Convention will be convinced—that both sides will be satisfied—that we will not in any way break the interest of evangelical truth or apostolical order.

MR. CORNWALL, of Kentucky:—I differ from the gentleman who has last spoken. Although I mainly agree with him in his views of this subject, I think there is an ambiguity about the title of the canon, and by referring it back to the Committee on Canons, that ambiguity can be easily cured: if they will make the language of the title conform to the language of the Ordinal, the whole difficulty will be avoided. "Of persons who claim to be ministers, not Episcopally ordained." This is a canon with reference to ministers, and does not apply to any other class of persons.

REV. DR. NORTON, of Virginia:—I hope that this subject will be postponed. I had the great pleasure of hearing distinctly the gentleman from Wisconsin (Rev. Dr. Adams); and regret very much that every member of this body could not have heard his remarks. I likewise had the pleasure of hearing the remarks of the learn-



ed gentleman from Connecticut [Rev. Dr. Mead], and I felt when he was speaking that if we could all hear such words as that, where we could understand one another, it might be possible to agree upon something with regard to this canon; but I was conscious that those sitting in the rear heard little or nothing of what was going on. I feel anxious therefore that the subject may be discussed at a future day when we can all hear and if possible come to a common understanding with regard to it.

MR. CORNWALL:—The canon alluded to as defining the subject of lay-readers, does not exist except as to candidates for Holy Orders. As the subject is entirely open, I wish to offer an amendment referring back to the same committee to report that canon.

DR. HAIGHT—suggested that the proposition should be referred separately.

MR. ———: I wish to state that the venerable chairman of this committee has made a statement in regard to the canon, which I have no doubt is entirely correct in many dioceses, but it has never been the practice in the Diocese which I in part represent. The canon in regard to lay-readers and the power of the Bishops to license them has always here been construed with regard to those who are candidates for Holy Orders, and our Bishops have never licensed any laymen who are not candidates for Orders, to read; but there has been a custom prevailing, with the full assent of the Bishop, that on extraordinary occasions, when the minister is prevented from performing the offices of the sanctuary, any layman may take upon himself, as an occasional thing, the performance of Divine service; and in the present prostrate condition of our Diocese it is a matter almost essential in some parts of the State, if the services are to be performed at all, that our laity shall be allowed, from time to time, under these extreme circumstances, to perform the services as far as laymen may. As this canon is now construed, it would seem to cut off entirely all such possibility of occasional officiating by laymen. I do trust that in the recommitting of this canon, that matter will be taken into consideration.

The PRESIDENT then stated the question to be upon making the report with reference to Canon II., the order of the day for Friday immediately after the previous order for that day—the motion to recommit, meantime having been withdrawn.

This motion was then agreed to.

REV. DR. PITKIN, of Michigan—then presented the following report:

The Committee on New Dioceses to whom was referred the memorial from the convention of the Protestant Episcopal Church in the Diocese of New York, respectfully report that, having examined the documents committed to them and found them to be correct, they recommend the adoption of the following preamble and resolution:

WHEREAS, a request has been presented to the House of

Clerical and Lay Deputies from the Convention of the Diocese of New York that a new Diocese be erected in the present Diocese of New York, to consist of the counties of Kings, Queens, and Suffolk, commonly known as Long Island, in accordance with a resolution of said Diocese of New York, said portion of the State being part of the Diocese of New York and of no other Diocese; said act to take effect on the 15th day of November, A. D. 1868; and—

WHEREAS, it appears by official documents laid before this House, that the Bishop of the Diocese of New York has consented to the erection of the said Diocese, and that all the requirements of the 5th article of the Constitution and the Canons are fulfilled, therefore be it—

*Resolved*, The House of Bishops concurring, that this Convention does hereby ratify the above mentioned action of the Diocese of New York in the erection of the Diocese aforesaid, said action to take place on the 15th day of November next, the name of said new Diocese to be determined by the primary Convention thereof, with the consent of the Bishop of New York.

REV. DR. PITKIN—moved the adoption of the preamble and resolution. Agreed to.

REV. DR. PITKIN—reported, from the Committee on New Dioceses, similar preambles and resolution consenting to the formation of a new Diocese in New York, to consist of nineteen counties lying northerly of the southerly limits of the counties of Greene and Delaware; the date of effect of the act, 15th day of November; and name to be determined by primary Convention.

DR. PITKIN's motion to adopt the resolution of the report was agreed to.

On motion of the Rev. Dr. Littlejohn, Rev. Wm. C. Williams, of Georgia, was added to the Domestic and Foreign Missionary Committee.

The PRESIDENT—appointed the Rev. Mr. Lusk of Indiana, a member of Committee on Expenses.

The Committee on Unfinished Business made a report of various matters left unfinished by the last Convention; which report was received without any action thereon being then taken.

HON. SAMUEL B. RUGGLES:—I beg to inform the Convention that his Lordship, the Bishop of Ontario, is now present. In accordance with usage on similar occasions, I move that he be invited to take a seat beside the President. Adopted.

The PRESIDENT:—I have the pleasure of introducing to the Convention [who then arose] the Right Reverend Bishop [Lewis] of Ontario.

MR. WILLIAM CORNWALL, of Kentucky—offered the following resolution:

*Resolved*, That the Committee on Canons be requested to report what parts of the Morning and Evening service may be read by Lay-readers, and that the same committee propose a canon placing them under such discipline as may be requisite to insure proper subordination.

There is no canon on the subject, except the canon applicable to candidates for Holy Orders. It is understood and so practised in some Dioceses, that any communicant of the Church may read the service. I have had occasion to do so, but without a canon for it; and I have inquired of the clergy what was proper to do, and have found differences of opinion. I find, also, that

there is no discipline. There is no canon on this subject; and those who may engage in this work are under no discipline. There ought to be a responsibility on the part of those who act as lay-readers, just the same as there is on the part of the clergy—a responsibility to some superior authority. There are 111 unlicensed lay-readers reported in the Journal of the Convention of 1865. By a little effort the number of lay-readers might exceed the number of our clergy. I hope the day will come when there will be many more lay readers working under the direction of their rectors, and licensed by their Bishops, than the entire number of the clergy, and that they will go out into all parts of the land. I hope to see the whole United States districted and occupied by the services of our Church; and as this is a vast power that may be brought into action, I think it is proper to offer this resolution.

Mr. Cornwall's motion was then adopted.

Rev. Dr. LITTLEJOHN expressed a wish that the Convention should not leave the chapel without some expression of their appreciation of the zealous and unwearied labor for their convenience and comfort that had been devoted to the sessions of this convention by the chairman of the Committee of Arrangements, Rev. Dr. Haight.

Mr. WELSH of Pennsylvania offered a resolution which, somewhat modified by Rev. Dr. Peterkin of Virginia, was as follows:

*Resolved*, That the members of the House of Clerical and Lay Deputies, in leaving Trinity Chapel for the greater convenience of its future sessions, desire to express and report their hearty thanks to the Vestry of this Church, the Committee of Arrangements, and especially to the Rev. Dr. Haight, the chairman, for the kind and liberal efforts made by one and all of them to promote the comfort of this Convention.

This resolution was unanimously adopted.

Inquiries and suggestions were made as to the place of holding the morning services, whether the House of Bishops would unite with the deputies in those services, or conduct them separately in Trinity Chapel; whereupon—

Rev. Dr. MEAD said—It is the general practice of this House to make its own arrangements for Morning Prayer. Those of the Bishops who may attend with us, afterwards return to their own House and say their prayers there. Our prayers are not satisfactory to them. In fact, it has been the custom of the House of Deputies to fix the time for Morning Prayers and send a notice to the Bishops, that they might, if they pleased, attend. I think it would be far the best way to let them have their Morning Prayers and for us to take care of our Morning Prayers for ourselves.

Rev. Dr. STUBBS—It is an unseemly thing for one House to have prayers in one place and the other House to have prayers in another place. I think the most Christian way would be to have a Committee of Conference.

THE PRESIDENT—A Committee of Conference, technically so-called, can only be appointed upon some disagreement between the Houses.

Rev. Dr. COOKE offered the following resolution:

*Resolved*, That, with the approval of the House of Bishops, the morning service of the Church, as prescribed by the Rules of Order of the House of Clerical and Lay Deputies, be held in the Church of the Transfiguration.

Rev. Dr. ADAMS offered the following resolution:

*Resolved*, That the Morning Prayers of this House be held in Trinity Chapel, and the House of Bishops be requested to attend.

During the discussion of the subject of the place of holding the morning services—

A message from the House of Bishops announced that they had adopted a preamble and resolution, ratifying the erection of a new Diocese out of the present Diocese of Western New York.

Rev. Dr. MEAD inquired if any documents concerning the proposed new Diocese had been sent to the Committee on Canons.

THE SECRETARY—No, sir.

A DEPUTY from Western New York—moved concurrence in the resolution of ratification adopted by the House of Bishops.

Rev. Dr. SHELTON, of the Diocese of Western New York—supported the motion, and claimed that the action of the House of Bishops was regular.

Mr. — justified the action of the House of Bishops in originating this action by the precedent of 1838, when the Diocese of New York was divided. In deference to that action the depntation from Western New York had thought it proper to have the same course taken now.

Hon. S. B. RUGGLES—As one of the Committee on New Dioceses, I feel bound to say that this is not a mere matter of form—the birth of a Diocese. The bringing into this great Church a Diocese to last for all time to come, is not a mere matter of form. The constitution of this Church requires certain prerequisites for the admission of a new Diocese. Therefore, this body has a Committee on New Dioceses, whose duty it is honestly, vigilantly, and carefully, to examine whether these prerequisites exist. We have no evidence here that this examination has been made in the other House. We must discharge our constitutional duties by ascertaining whether the constitutional prerequisites have been complied with. I can pledge myself for the committee that we will take immediate action upon the matter, if the documents are referred to the committee. Our hearts are all with Western New York; there has been no delay; but I earnestly hope that the safeguards thrown around the subject by the constitution may not be omitted—that we may not be drawn into a mischievous precedent.

During the recess which occurred at this point, the deputies proceeded to the Church of the Transfiguration.

THE PRESIDENT—alter calling the House to order,



stated that the business before the house was the resolution of Dr. Cooke.

Dr. CLARK—We have another resolution to succeed this, of an entirely opposite character. To my mind both of them are unfortunate. I see no reason why we need pass upon any resolution of the kind whatever. There will be morning service here and also at Trinity Chapel; and why need we pass either of these resolutions which are invidious. I move the resolutions be laid on the table.

Dr. Clark's motion was carried.

Mr. C. C. PARSONS of Kansas—moved that the message No. 7 from the House of Bishops relative to the erection of a new Diocese in Western New York, be referred to the Committee on New Dioceses.

Mr. HENRY MEIGS, Jr., from New Jersey—With reference to the suggested amendment of Mr. Parsons's motion, that the House of Bishops be requested to furnish the documents upon which they had acted, said: If we have not sent the documents upon which we have acted, when we sent messages to them, it would hardly be respectful to ask them to send theirs to us.

Rev. Dr. PITKIN—It is the duty of the Diocese to send the documents both to the House of Bishops and to the House of Deputies. The House of Bishops could not act without the proper papers; and this House could not act unless they have the proper documents. This House has not yet had the facts in regard to the application from Western New York.

A DEPUTY from Western New York—having stated that the deputation would present the proper documents in the matter of their application, the proposed amendment to Mr. Parsons's motion was withdrawn.

Mr. Parsons's motion was then adopted.

PRESIDENT—I have called for resolutions and other business, all the regular business of the day having been disposed of; but none have been offered. I recall a report from the Committee on Canons dealing very summarily with a memorial from the Diocese of Georgia. The report, which was against the memorial, was received, and the committee was discharged. I submit the question whether that can now be brought up for the consideration of the House. Gentlemen learned in the law will be able to tell us whether the discharge of the committee has entirely taken the subject from before the House. If not, and it is the pleasure of the House to take up that subject, it might be done while we are waiting for something else to do. The Secretary then read from the journal of the fourth day's proceedings the report from the Committee on Canons, submitted by Rev. Dr. Haight; from which it appeared that the memorial of the Diocese of Georgia asking that the name Convocation be substituted for Diocesan Convention, Synod for Provincial Council, and General Council for General Convention, was reported against by the committee, who asked to be discharged from the further consideration of the subject; and they were accordingly discharged.

Rev. Wm. H. CLARKE, of Georgia—I had the honor of presenting that memorial. The object we aimed at principally was to get rid of the word *convention*, and substitute for it the word *council*. When this report came in from the Committee on Canons we took no notice of it, because we supposed the subject of changing the name would come up in another form; and we did not think it necessary to embarrass the proceedings of the convention by introducing a new resolution. I think the subject of making this change is now before the Committee on Canons. If it be not before them, I should be glad, if it be in order, to make the motion that it be referred to the Committee on Canons to consider the expediency of changing the name *convention* to *council* wherever it occurs in the Constitution and Canons. According to the generally accepted authority of Webster, the two words *Convention* and *Council*, taken in their original, are synonyms, one denoting the idea of coming together or being convened, and the other denoting the idea of coming together with some little excitement. Men come together voluntarily in a convention. *Convention* is said to be derived from *convenio* and *Council* from *concilium*. The word *council* describing a body like our own, has nothing to do with counsel meaning advice. As the word *convention* has been degraded in these latter times, it might be well to have a word not so much degraded at least.

JUDGE OTIS.—The question was asked whether the action of the Committee on Canons disposed of the subject in discussion. The memorial from Georgia asked for three names: Convocation for Diocesan Convention, Synod for Provincial Council, and General Council for the General Convention. This was acted upon, and the report was made. After that a memorial from the Diocese of Illinois was presented and referred to the committee, simply asking for the change of the name *convention* to *council* wherever it occurs. That I suppose is now on the list of subjects before the Committee on Canons, to be acted upon, and will be reached in its order.

Hon S. B. RUGGLES, of New York.—I think that in the consideration of this subject the Convention has lost sight of one important circumstance, namely, that our House of Bishops, in prosecuting and carrying on their business, frequently adjourn as a House of Bishops, and go into "Council," and sit in council. I can readily imagine that sitting in council they sit under their inherent authority as Bishops, while in General Convention they sit under the constitutional authority conferred upon them. But, at any rate, they use the word *council* to describe the part of their proceedings which are printed in the journal; and we may make confusion by adopting the name *Council* instead of *Convention*.

THE PRESIDENT—suggested that the question was whether this subject could be brought up at all. Of course the house could not go into the merits of that question unless it should be brought up in some form or other.

Mr. GEORGE A. GORDON, of Alabama.—I am satisfied from having had some little experience in legislative matters that it is entirely legitimate for the house to take up the subject of the memorial from Georgia, if they choose to do so. The reports of the committees, according to Jefferson's Manual, are always in order. The mere fact of the introduction of a report does not necessarily imply the taking up of a report. And if the Committee on Canons or a committee on any other subject in this house rises at this moment and makes a report, it would always be in order and right to receive it. It would then require a substantive, independent vote of the house first to take it up; because otherwise it will simply lie upon the table to take its place on the calendar or when ever reached in regular order. After having been taken up, the house would proceed to consider, and either adopt or reject, the report of the committee. If I understand the condition of the memorial from the State of Georgia, it was referred to the appropriate committee; that committee made a recommendation; and in addition to the usual recommendation, namely, that it should not pass, they also asked that they should be discharged from the consideration of the subject. The House acted upon nothing but the latter branch. They simply discharged the committee from the further consideration of the subject. The memorial therefore came back to the House, and is now in possession of it, to be acted upon now or at any other time.

THE PRESIDENT—Then if a motion is made to take it up, it will be before the House, if that be the law of the case as I presume it is.

A DEPUTY—suggested that the discussion of the question in any wise was premature as he understood that the Provincial System, which properly involves this question, would be brought before the House during the present session. He moved that the subject be postponed.

THE PRESIDENT—said the motion was not in order because the subject was not before the House.

The Rev. Mr. CLARKE, of the deputation from Georgia—moved that the memorial from Georgia be taken up; but upon the announcement that the Committee on Canons were about to make a report, withdrew his motion.

Rev. Dr. HOWE, of Pennsylvania—submitted the following report:

The Committee on Canons to whom were referred certain memorials from the Dioceses of New York and Maryland concerning the establishment of Federate Conventions or Councils, beg leave respectfully to report that after careful deliberation they are prepared to recommend the adoption of the following resolution;

*Resolved*, The House of Bishops concurring, that the following be adopted as Canon—, Title—, authorizing the formation of Federate Councils or Councils of Dioceses within any State, to wit: It is hereby declared lawful for the Dioceses now existing or hereafter to exist within the limits of any State or Commonwealth, to establish for themselves a Federate Convention or Council represent-

ing such Dioceses, which may deliberate and decide upon the common interests of the Church within the limits aforesaid; but before any determinate action of said Convention or Council shall be had, the power proposed to be exercised thereby shall be submitted to the General Convention for its approval.

Rev. Dr. HOWE, continuing:—I will take occasion, Mr. President, with your leave, to say that the substance of this canon was adopted by the last General Convention, or rather by the Lower House in the last General Convention, and sent up to the House of Bishops for concurrence. It was returned to us with the message that it was too late in the session to take into consideration so grave a matter, and thereby the legislation failed; but it passed in the Lower House by a large majority. The canon was recommended, in the first instance to the attention of the General Convention by the Convention of the Diocese of Pennsylvania, then about to be divided. The same canon—in the form into which the Lower House of the last General Convention moulded it, with some modifications from that which had been submitted by the convention of Pennsylvania—was recommended again to the attention of the General Convention, by the Convention of the Diocese of New York, at its late session, with only an amendment in the final clause, and with the proviso that no determinate action shall take place by such Federate Council or Convention until the powers which it proposes to exercise are submitted to the General Convention for its concurrence. With that exception it is the same as was postponed by the last House of Deputies. It may be said further that it is believed that no Diocese now knows precisely what powers it would like to intrust to such a Federate Council or Convention—That any step which may be taken in that direction must be for the time merely experimental or tentative and that this General Convention therefore are just as unprepared to prescribe any fashion after which such Federate Council should be moulded as any one of these dioceses requesting such powers are themselves unprepared now to express them. However, in any organization which they may institute in these several states or dioceses experimentally, an interchange of views will bring out to their own apprehension precisely what they want; and at the next General Convention it is believed that the General Convention will be ready to act definitively on this matter.

REV. DR. HAIGHT made a motion—subsequently withdrawn—to make this report the order of the day for Monday.

REV. DR. HAIGHT inquired whether the vote by which certain subjects were assigned to Friday could not be reconsidered.

THE PRESIDENT said he had suggested that before the recess.

REV. DR. HAIGHT—Yes—but the House could not hear then. (Laughter.) I move to reconsider the motion by which the Canon on Clerical Intrusion (Canon 12) be made the order of the day for Friday, and that it be made the order of the day for to-morrow.



The question upon reconsidering the assignment to Friday of Canon 12 was reconsidered; and then—

On motion of Dr. Haight, its consideration was taken up; when—

The Secretary read the report; when—

REV. DR. HAIGHT said—The committee have had this canon under consideration, and referred it to a sub-committee, who presented the following, which will be read from the desk, as an amendment to the canon. It is designed to meet one class of difficulties which has been alleged to grow out of the present canon. The committee do not pretend to say, by their report, that it is the only amendment which they have to suggest. There are many and grave difficulties connected with the subject; but the attention of the committee was called to the fact that this canon was supposed by many persons, and some of them persons of eminence, to interfere with the right of the individual rector in a city or town where there were two or more parishes to invite into his own pulpit any brother whom he might desire to have officiate for him, without the consent of the other clergyman or clergymen. I have never had the slightest idea that this canon had that application. Still it is supposed to have that application; and I have heard it argued by some eminent men that the canon necessarily meant this, and it ought to be obeyed. In order to meet this difficulty and relieve the minds of those who suppose by the language of the canon they are under some disability, the committee have considered, framed, and submitted the amendment to the canon now before this House.

MR. N. H. MASSIE—suggesting that the proper consideration of the report and amendment required printed copies of the same, and (this meeting the views of many others), moved that the further consideration be postponed until the amendment could be printed and distributed.

This motion was agreed to.

The Committee on the Treasurer's report, reported that it was correct and properly vouched.

REV. DR. NORTON, of Virginia—desiring that the change of the name Convention to Council should be considered independently of other questions which might prejudice it, offered the following:

*Resolved*, The House of Bishops concurring, that the Constitution of this Church be amended by the substitution of the word Council for the word Convention, wherever the latter word occurs in the said constitution.

After various inquiries as to order of business and as to effect of discharging the Committee of Canons from the further consideration of the memorial from Georgia in reference to change of three names applying to different Church assemblages—

REV. DR. NORTON, of Virginia, said his proposition was not the one contained in the memorial from Georgia, but an independent resolution.

REV. DR. ADAMS:—Mr. President, I was very glad, indeed, to hear the gentleman from Virginia bring for-

ward this question, because it was one part of the great question to be settled in these few next conventions, or else we must give up to others the position which we ought to have in these United States. The matter, sir, is the matter of organization.—We are the descendants of the Anglican Church. We have—and we count it a great thing—the Apostolical succession, the Prayer-Book; and we have a full belief in the Church everywhere.

The question of organization comes up, and that is a complicated matter; and it is one which we must discuss. This matter of Federate Conventions is part of it. This matter of names of the General Convention, Diocesan Convention, and State Convention is part of it. The decision of all these questions comes before us; and it is well for us, instead of complicating the matter by having all these come together, to take, as the gentleman from Virginia has done, one of the most important points at a time, in this great idea. He has, as I understood, brought forward the change of title of General Convention to General Council. Now, Mr. President, I conceive that that can be clearly and distinctly brought forward as a separate part of the great idea that we can decide upon, and that we can settle it; and by so doing we shall reach one portion of this great question of organization; and we shall reach the vote of the Convention, distinctly and plainly, without any complication of any other matter, whatever; and then, having done this, we shall be able to proceed to other matters. I should like that the Secretary would read the resolution which was offered by the gentleman from Virginia, in order that I may distinctly understand the verbal complexion of it. I would ask the gentleman from Virginia if he is willing to accept the change of a single phrase in that resolution of his. The word Council, I conceive, is an admirable one, but I think that if we are to proceed to this question, it will be better to take the matter of General Convention first. And I would ask the gentleman from Virginia if he will accept the substitution for the word Council of the phrase National Council or Great National Council, so that we may come at this question of the name of the General Convention.

REV. DR. NORTON—I should like very much to gratify the gentleman; but, if he will observe, it would defeat one of the main objects of the resolution, which is, to bring into harmony our diocesan councils with the General Convention. While those who call their diocesan conventions councils, feel that they have a right to do so, they all feel it inconvenient. It was with the especial intention of remedying that difficulty that I offered this resolution now.

REV. DR. ADAMS—The gentleman, of course, has a right to his opinion; and I also have my rights on the floor of this House. Therefore, instead of asking him to accept the change, I will put my opinion and my action as an amendment to his. I will, therefore, move

an amendment to his resolution in the shape of an amendment to the Constitution; which will, I believe, bring it more distinctly before this House:

*"An Amendment to the Constitution."*

*Resolved*, The House of Bishops concurring, that in every place where the words General Convention occur in the Constitution and Canons of this Church, the words Great National Council be substituted.

In order to test the tone and temper of this House, I would ask them not to send this in to the Committee on Canons. (Laughter.) You said, Mr. President, that this is a safe Committee, and so it is. This resolution I brought forward in 1865, and it was referred to the Committee on Canons, as will be seen on p. 131 of the Journal. "The Committee on Canons, to whom was referred the resolution"—identical with this—"respectfully reported that in their opinion the change is inexpedient, and ask to be dismissed from the further consideration of the subject." I therefore hope that in this House, whatever disposition may be made of this motion, it will not be referred to that Committee on Canons. (Laughter.) I have the highest respect for them all; and they are some of my best friends; but I have an idea that if they should sit upon this resolution, it would end in smothering it.

A DEPUTY—Will the gentleman drop the word Great?

REV. DR. ADAMS—I will do it. Now, sir, I will ask of the Secretary of this House, as a matter that I think will be rather important in the discussion of this subject, whether the Diocese of Nebraska was admitted with the term Council or not.

The SECRETARY—I understood it was.

REV. DR. ADAMS—I understand, then, that in the General Convention of the Protestant Episcopal Church in the United States we already have gone so far upon this question as to authorize in the case of the Diocese of Nebraska, and, of course, in the case of all dioceses, the term council as a name of their convention—their annual convention. I will suggest that that is upon the record. The gentleman from Virginia will permit me to say that the thing is settled, so far as he is concerned. If the united action of both Houses of this General Convention admits a new diocese with the term council, after the fullest debate, I should think, sir, that the Diocese of Virginia, and every other diocese that chooses to change the name, has, by the permission of the General Convention of the Protestant Episcopal Church, a canonical right to change the title of Convention to Council. And I should conceive that members of this Church who have hitherto complained of the discord of having the word Council along with Convention, would see that the argument goes the other way. The General Convention has authorized the term council with regard to dioceses; and therefore it will be its most natural action to pass an amendment—that which is proposed here—in order to bring its nomenclature, in reference to the General Convention, into per-

fect accord with its nomenclature as concerns individual Dioceses. I suppose that there are in this Church 20 different Dioceses which, in the course of the next three years, will, in accordance with the permission given us here, change their name from Convention of the Diocese of so and so to Council of the Diocese.

REV. DR. HAIGHT asked if it was competent to amend the Constitution by joint resolution.

REV. DR. ADAMS.—I propose an amendment in due form to the Constitution. It will be seen that this is a matter of organization, and contemplates three things. It, in the first place, contemplates the taking by this present General Convention—which is really and truly a National Council of the Protestant Episcopal Church in the United States—unaltered in all its powers, and with every right unchanged, of its proper title of the National Council of the Protestant Episcopal Church in the United States of America. In the second place, it will be seen that this matter of Federate Council will come up very naturally to receive its settlement. In the third place, the Diocesan Council will come up also. It will be seen that these are three distinct subjects—distinct portions of one great system of organization of the Church in the United States. It will be seen also, I trust, by the present National Council that the matter I propose is perfectly distinct, and can now be acted on; it is merely a change of names; makes no constitutional changes; and at the same time sends us on our way in reference to the organization of the Church, so that it may be enabled to perform its proper duty. Upon the question of the admission of Nebraska, I presented some reasons for the change from the name convention, and said something as to the danger and disadvantages of using the word convention. I need not repeat them. I will only say that council is an ecclesiastical term. Convention is not merely a political term; it is a term for any chance meeting of any persons whatsoever, that is, a convention of any and every thing. So far as my experience goes, I know of no good Christian in the West that has ever spoken in any assemblage of the Church, especially in the West, that is not desirous that we should have this change.

REV. DR. ADAMS continued his argument at considerable length, especially urging the importance of the change according to that spirit of progress by which the Church should achieve the position of the National Church—a position which the Roman Catholic Church was energetically striving for.

MR. MEIGS argued against the inference that the admission of the Diocese of Nebraska committed the Convention to the name council. The argument was brought forward distinctly by the committee that by the adoption of the Constitution of the General Convention the Diocese pledged itself to conformity therewith as to constitutional name and every thing else.

MR. GEORGE A. GORDON spoke in favor of the resolution of Dr. Norton, and against that of Dr. Adams.



JUDGE CONYNGHAM said that if the question were a new one, there might not be any especial choice between the name Convention and Council; but the name Convention was a time-honored and hallowed one. That the dioceses, in his opinion, could not be required in matters of mere nomenclature to conform to that adopted by the Convention, and hence uniformity could not result from the proposed change.

REV. DR. GOODWIN, while claiming the absolute right of the General Convention to give a nomenclature to the Dioceses, thought it inexpedient—at least, the power should be exercised with caution. He denied the rightfulness of any inference from the admission of the Diocese of Nebraska that the Convention had recognized the name council, and analyzed the vote upon the proposed proviso, and showed that it showed no majority in favor of the name.

Judge BATTLE argued that the admission of the Diocese of Nebraska was upon the idea not of approval or sanction of the name council, but upon the ground on the part of many members that either the Constitution required no change of name from council to convention, and therefore the name was not material, or that it did require such change, and that the adoption of the Constitution by the Diocese either of itself worked the change or required it of the Diocese.

REV. DR. GOODWIN continuing, said that according to the statement of Dr. Adams we stand in the year of Grace, 1868, the Protestant Episcopal Church of the United States, debating its Prayer-Book of 1787, and as not organized yet. It seemed a strange view that we are just entering upon the question of organization.

The Convention then adjourned to to-morrow at 10 o'clock.

#### SEVENTH DAY'S PROCEEDINGS.

WEDNESDAY, Oct. 14, 1868.

The convention met pursuant to adjournment.

Morning Prayer was said by Rev. Dr. Goodwin of Pennsylvania, and Rev. Horace Stringfellow, Jr., of Indiana. The Benediction was pronounced by Bishop Talbot, of Indiana.

The Journal of yesterday's proceedings was read and approved.

Rev. Dr. Adams accepted the suggestion of the President as to the parliamentary form of his last resolution of amendment yesterday.

REV. SAMUEL COOKE, D. D., of the Diocese of New York—Presented the following memorial:

*To the House of Bishops and the House of Clerical and Lay Deputies in the General Convention of the Protestant Episcopal Church in the United States of America:*

The undersigned, being members of the Protestant Episcopal Church, and Wardens and Vestrymen of the Church of the Holy Trinity in the City of New York, respectfully invite the attention of the General Convention to the annexed report of the trial of the Rev. Stephen H. Tyng, Junior, Rector of said Church, as exhibiting a recent interpretation of certain canons, the previous understanding

thereof, and the long-continued, widely extended, and undisputed usage in conformity with that understanding; and respectfully submit for their consideration the propriety of pronouncing some definition, or making some amendment, which may clear the law of dispute, and promote the extension of the Church and the advancement of religion.

Very respectfully,

ROBERT DEMONT,	{ Wardens.
S. HENRY HURD,	
E. R. TREMAIN,	{ Vestrymen.
J. NELSON TAPPAN,	
CHAS. K. RANDALL,	
WILLIAM L. ANDREWS,	
JONATHAN EDGAR,	
WILLIAM B. NORTHRUP,	
R. M. BRUNDIGE,	

NEW YORK, October, 1868.

"The annexed report" of the trial is a volume of 310 octavo pages.

On motion of Rev. Dr. Cooke, the memorial and the printed document [the report of the trial] were referred to the Committee on Canons.

REV. SAMUEL BENEDICT, from Georgia—Offered the following resolution:

*Resolved*, That it be referred to the Committee on Canons to consider the expediency of proposing an amendment to the constitution, or a declaratory canon, setting forth the principles embodied in the following statement, or such or so much of them, as they may deem of sufficient clearness and importance, and in such form and mode as they may select:

This Church in her legislation recognizes these principles: that the Episcopate is derived from the Apostles of our Lord, and perpetuates their authority to confer holy orders and to rule in the Church of Christ; that this authority, in matters ecclesiastical, is absolute, save when limited by the Prayer Book or Canons and Constitution of the Church; that when the scope and meaning of this limitation is questioned, it is the duty of the inferior to defer to Apostolical authority until the question of limitation is settled by the proper tribunal.

REV. SAMUEL BENEDICT (continuing)—I will simply say, in moving the reference to the Committee on Canons, by way of explanation, if necessary, that to many of this Church, clergy and laity, it is very apparent we are going to be too democratic. The analogy is frequently drawn between the constitution and government of the United States and the constitution of the Church in the United States. While it is good for illustration as a partial argument, it is faulty in this important particular, that while in the State the authority springs up from the people, in the Church authority comes down from Christ. We are probably in the course of a little while to have a debate upon matters of the Ritual. I submit that there are many in this Church who feel that no canons can produce uniformity. And even if it were possible to have a rigid uniformity, it is not expedient. What we need is not so much uniformity as harmony, and that, in the field of the Church as in other fields, is subserved by the obedience of each one in his place to proper authority. I do not propose to enter into this discussion at the present time, but simply move the reference of this resolution to the Committee on Canons.

A DEPUTY—Suggested that it should be referred to

the Committee on the Prayer Book as involving a question of doctrine.

ANOTHER DEPUTY—Moved the amendment that the Committee on Canons, to whom it is referred, make as early a report as possible.

Mr. B—Repeated his suggestion that the reference should be to the Committee on the Prayer Book, because, when there was an attempt to touch the doctrine of the Church, it should be done with the utmost caution and care, and should not be done by the wrong authority; that if the object were to explain the Prayer Book or to enlarge it, or to express its views more clearly and succinctly, it should go to the Committee on the Prayer Book.

Rev. Dr. STUBBS, New Jersey—This matter has been already in part acted upon; and the first canon of the Church refers to it. I should like very much to see the substance of the first canon embodied in these resolutions, and the first canon repealed. I do not see myself that it is necessary in the canons to assert the principles which are universally recognized. The first canon asserts the doctrine referred to. But that canon is objectionable on the ground that no one in the Church denies the truth here asserted. There are some principles involved in those resolutions not so universally acknowledged; and if they were enlarged somewhat, I should be glad to see them considered in connection with this first canon. I beg leave to make the suggestion that the first canon be embodied in these resolutions and that the canon be repealed.

Mr. —. That is merely a declaratory canon. It appears to me to open a wide discussion—to present principles upon which there may be the widest differences, and principles which do touch our standard of faith, and I do not think we ought to impose that subject upon the Committee on Canons. There is a special committee for it if we do mean to touch the Prayer Book. Let us understand what we are about. I stand by the Prayer Book as handed down to us by the fathers of the Church; and I go against every proposition to touch or change it. I trust that this Convention will understand that it is the charter of our religious rights, and maintain it to the last. This is no time to tamper with it. If it is to be tampered with, by either one side or the other, let the Church understand distinctly and clearly what we are about. Let it be touched by no side issue. Let it go to that committee which the Church has appointed to prepare such action. I press my motion, and if the gentlemen will not accept my suggestion, I move it as an amendment that this resolution be referred to the Committee on the Prayer Book, as it is intended to change the standard of the Church.

JUDGE BATTLE—Thought it should be referred to the Committee on the Prayer Book; the Committee on Canons already have business before them to occupy them one fortnight; and it is utterly impossible that they should engage in these extensive inquiries. Let the

gentlemen who wish these things considered, bring some definite matter before the Convention. Let this be referred to the Committee on the Prayer Book, and let them frame an article and let that be referred to the Committee on Canons; and then as one of the members of that committee, I shall be prepared to act upon it.

Rev. Mr. BENEDICT accepted the amendment to refer to the Committee on the Prayer Book.

Rev. Dr. HAIGHT—Said the Committee on Canons had so much business that he should be sorry to have this matter referred to them.

Dr. LITTLEJOHN—I trust that in the motion which I am about to make touching this resolution, it will not be considered by the mover that I am guilty of any incivility towards him in any shape, or that I wish to stand in the way of formal and emphatic assertion of perhaps most of the points which he has made in that resolution. But in this resolution he calls upon this body to set forth, in the form of a declaratory canon, principles which, according to the phraseology of the resolution, it is declared are already recognized in the legislation of this Church. There is not a principle embodied in that resolution which is not already incorporated in the legislation of our Church. There is not a principle affecting doctrine or discipline that is not admitted by every well-educated member of this Church; and the only practical point that I can see in the resolution is simply a formal exhortation to be given by this body, based upon a report of the Committee on Canons, if you please,—a formal and earnest exhortation to every presbyter and deacon to obey his Bishop in matters doubtful. That is all provided for in our ordination vows. I can see, therefore, nothing to be gained by the reference of this resolution to either of the committees named. I see no practical result to arise from the reference of this resolution. I shall, therefore, move, with all due respect, that it be laid on the table.

Dr. Littlejohn's motion was seconded and adopted.

Rev. Mr. CLEMENTS, of Ohio, presented a memorial from members of the Church of St. John's, Passaic, N. J., similar to those offered by Judge Conyngham, and referred to the Committee on Canons. This memorial was so referred.

Rev. Dr. GOODWIN offered a resolution to the effect that it be referred to the Committee on Canons to inquire whether a change be not desirable in Article 4 of the Constitution, by adding some phrase equivalent to "or by the Bishop himself of some other Diocese." Not acted on.

Rev. Dr. ADAMS obtained the floor, and moved that the order of the day be postponed.

THE PRESIDENT.—The order of the day has arrived.

Rev. Dr. ADAMS.—I moved that it be postponed. I made the motion before its announcement. I moved that it be deferred, that the debate may be carried on upon the question of changing the title of the General



Convention into National Council, Triennial Council, or Great Council.

REV. DR. HAIGHT.—The order of the day is Canon 12. I am perfectly content that the order of the day should be postponed, because the printed copies are not here. But when they arrive I shall move to postpone this matter and take up the order of the day. Unless we keep to the order of the day we may as well go home; we shall never get through our work.

The vote being then taken upon Dr. Adams's motion to postpone the order of the day, and to take up the unfinished business of yesterday in regard to nomenclature of Church Conventions, the motion was agreed to.

REV. DR. NORTON, of Virginia.—Has the gentleman from Pennsylvania [Rev. Dr. Goodwin] the floor? I feel anxious that we should obtain a vote upon this question this morning. We seemed to be almost ready for it yesterday evening when we adjourned.

REV. DR. GOODWIN having the floor, allowed Rev. Dr. Pitkin to submit a report from the Committee on New Dioceses, ratifying the formation of a new Diocese within the present limits of the Diocese of Western New York. He said (omitting remarks founded on a misapprehension, and withdrawn), the fact remains that the papers were imperfect, but have been perfected. They have been carefully examined by the committee, and they are satisfied that all the requirements of the Constitution have been complied with. These papers are in possession of the House, and can be read if the reading shall be called for. I move the adoption of the preamble and resolution.

On motion, and by consent of the chairman of the committee, the report was re-committed for the rectifying of certain informalities.

Message No. 8 from the House of Bishops was received, announcing their adoption of the following resolution:

*Resolved*, The House of Clerical and Lay Deputies concurring, that Section 2 of Canon 10, Title I, be so amended as to read as follows, namely, in place of the words "at least three years," the words "at least one year."

On motion, this message was referred to the Committee on Canons.

REV. DR. GOODWIN:—I should be sorry to have the feeling prevail that I am delaying the business of the Convention in undertaking to address them. I will address myself to the work which I left yesterday with, however, one personal explanation first of all. When, on a former occasion, I was cut off, after five minutes' speaking, by a recess, I completed my speech after the recess, and after that rose to ask on behalf of the Diocese of Pennsylvania, that the vote should be taken by Dioceses and orders, and it was with great difficulty that I could get a hearing, because it was alleged I had spoken twice on the same question. I beg now to inform the President and the House that I had not spoken twice on the same question. It is unfortunate for me that I am so often cut off, and now here is the second time that I have been interrupted in the midst of a speech by an adjournment, and everybody thinks that I have made two

speeches. (Laughter.) I beg the House to observe that this is not two speeches. I hardly know where I left the subject yesterday, but I will begin as well as I can with the statement that seems important in regard to the manner or circumstances in which the terms Convention and General Convention came to be adopted in our Church. It seems to me to be a strong point to consider.

When after the American Revolution, our Church came to organize herself—and I think she did organize herself—in this country, she began in the different States. The Church undertook to organize herself in those States. There were no Bishops at the first, and, of course, they were obliged to be content with a very imperfect organization; and no better term suggested itself to the minds of the Fathers of our Church than to call their meetings Conventions; and they were called Conventions of such and such States. Then, when they came to frame their Constitution, I believe there were three Bishops, and that they constituted a House of Bishops there, or immediately thereupon. They continued the same term Convention for the legislative bodies of the Church in the different Dioceses or States; and they introduced the term General Convention for the legislative body of the Church in the United States. And why? Not simply because they had been thus obliged to begin, but because they thought there were good reasons for so continuing. For example, if you will look to the ratification of the Book of Common Prayer, you will find that it is ratified by the Bishops, Clergy, and Laity of the Protestant Episcopal Church in the United States in General Convention.

Now, Mr. President, I have not the slightest doubt that the term was thoughtfully, deliberately, and purposely chosen. I hold myself liable to correction. I am not as learned in ecclesiastical history as some other gentlemen in this Convention doubtless are; but to the best of my knowledge there was no Council held in the Church or any branch of the Church Catholic after the so-called Council at Jerusalem, where the laity were represented as constituting a part of such Council. In the so-called Council at Jerusalem, I say, because it does not seem to be called so in the text. Now the Councils in the Church after this date were not Councils of Bishops, Elders, and Laity. To the best of my knowledge, there was no such Council. I am not sure about that, but certainly I am sure of the general fact that the Councils were Councils of Bishops. I say, then, our Church deliberately, intentionally and with the full knowledge of the case, as I apprehend, intending to introduce Lay-representation in the legislative body of the Church in the United States, intending that it should consist of Bishops, Clergy and Laity, did introduce the term General Convention—designated it so that it should be the Bishops, Clergy and Laity of the Protestant Episcopal Church in General Convention. Such I understand to be the origin of the term and the justification of it. This is the mode of organizing our Church, as adopted by the Fathers of our Church. It seems to be implied in the remarks that have been made on the other side, as I said yesterday, that the Protestant Episcopal Church, in its principles of organization, has hitherto been a failure. At all events, it is argued that somehow or other it will follow in connection with adopting this change, I do not pretend to understand how, but will try to guess, using my Yankee

privilege; but it is somehow or other supposed that, by adopting this change, the Church will begin to grow and grow until it is the Church of the United States, acknowledged as such by all the people of the United States, one beautiful Church of all the United States, with no dissenters, no Romanists; and not only so, but that this Church, with the Anglican Church, is to be the Church of the whole world, and so to be acknowledged; and all this to follow from changing General Convention to Council.

Now, I think it will take a little time if I am to answer such an argument as this. If the argument is in order and fairly to be brought before this Convention, and expected to influence the minds of the members of this Convention, if I think it is futile and false, it ought to be in order to answer it; yet, I think it is going pretty wide from the question. I have felt the desire as strongly as any desire I cherish, that such a glorious result as has been pictured for the Church might come about somehow or other, some day in the world—that this Church of ours should grow and grow until it should be the Church of all the inhabitants of the United States of America; that it should grow until, with all the Churches in its communion, it should become the great Catholic Church of the whole world. I pray God that such a consummation may one day be reached. It is the desire of my heart as strongly, I think, as it can be the desire of the gentleman (Rev. Dr. Adams) who made the argument referred to. But while I cherish such a desire, it is the desire that the Protestant Episcopal Church of the United States of America should thus become the Church of the whole world. I believe it is *the* Catholic Church—most assuredly a branch of the Catholic Church. No man will pretend that it is now the whole of the Catholic Church, that is, including all the members of Christ's Church within its immediate communion. I believe it is the Catholic Church in this sense: that it is a true branch of Christ's Church Catholic here on the earth. But what I believe to be a true branch of the Church is the Protestant Episcopal Church of the United States of America. Now, in order that that glorious consummation should be reached to which the gentleman referred, this Protestant Episcopal Church is to be ORGANIZED, not even re-organized. But if it is assumed that it is no Church, in other words, it is no Church-organization, and is not a Church, and must be *organized* in order to accomplish such an end, I confess that I start back. It is the Church of my fathers; it is the Church, the Protestant Episcopal Church, of seventy-nine years, that I am looking at, organized and in full action these seventy-nine years. Must we, Mr. President, sit here on the question of a *post-mortem* examination of the Protestant Episcopal Church, and consider whether we can resurrect it, or organize it, and make a Church for this country? I would like to have it distinctly stated to this House, if the gentleman would be kind enough to do so, whether, with all his heart, he does adopt the Protestant Episcopal Church of the United States of America as the church of his affections, or whether it is the American Catholic church, or the Reformed Catholic Church of America. I hear only such phrases: I would like to know before I am called upon to act upon a question of this kind which is to reach forward into this grand result, whither we are tending—what this means. Is it that the Protestant Episcopal Church is to become all this? or

are we first to organize a Church in the United States that is thus to go forward?

Now, Mr. President, I understand that there is a difference between *the* Church and “this Church.” In all my reading of our Constitution and canons I find a distinct implication, from beginning to end, that there is no claim on our part to be the Church. The claim is to be “This Church”; and, of course this Church is the Church for us. It is “This Church” in the Constitution and in the Canons. I need not go over it: it is over and over again “This Church,” that is, the Protestant Episcopal Church in the United States of America. If you will have the patience to allow me to refer to some of these cases, if any evidence is needed, I find that in the preface to the Book of Common Prayer set forth by the Fathers of *this* Church, that they declare that “when in the course of Divine Providence these American States became independent, *the different denominations* of Christians in these States were left at full and *equal* liberty to model and organize their respective churches in such a manner as they may judge most convenient for “their future prosperity.” “The attention of *this* Church,” they claim an equal liberty with all the *other* religious denominations in the United States to model their Church as they should see fit. And so in the Constitution, it is over and over again “*this* Church.” I think time would fail to cite all the cases in the canons in which “*this* Church” is thus referred to. But there are two or three cases that are exceedingly deserving of consideration as it seems to me. In canon second, Title one, 8th, 9th and 10th paragraphs, we have such statements as these: “When a person who, not having had Episcopal ordination, has been acknowledged as an ordained minister or licentiate *in any other denomination of Christians*, shall desire to be ordained in *this* Church he shall” do so and so. And then in the ninth: “When a person, if not a citizen of the United States, who has been acknowledged an ‘ordained minister *in any other denomination of Christians*’ shall ‘apply to become a candidate for orders in “this Church.” So in the next section, and in Canon 5, 6 and 7. In Canon 5: “candidates who, not having Episcopal ordination, have been acknowledged or ordained as licensed ministers *in any other denomination of Christians* may,” etc. So in the 7th: “Ordained or licensed ministers *in any other denomination of Christians*,” and the same phrase occurs in Canon 7th, 6th section. Now, what is the meaning of “*in any other denomination of Christians*” if *this* is not a denomination of Christians?

Mr. President, here are our Canons not made by the first Fathers of the Church, but we have the testimony of the Fathers of the Church in the very preface of the Prayer-Book; and now we have the Canons as set forth in 1859 I believe; and they gravely talk to us of “*other denominations of Christians*” and the ministers of other denominations seeking orders in “*this* Church.” I ask again what can be the meaning of “*other christian denominations*” unless this Church is a denomination of christians?—Now as to the proposition that this should be a National Council. I have no objections to the idea of a National Council at all, the idea being I suppose that this is a National Council of the Church. Yes, and more than that, the National Church of the United States—the only Church—the only Church in the United States. That is to be the claim. And upon that



claim, if I understand it, and through that sort of claim, we are to get, by the change of Convention to Council, the beautiful results, the glorious ends, referred to. They are to be reached through the claim that this Church is to be the only Church of Christ in the United States. I do not ask whether the Fathers of this Church would *recognize* such a Church as the Church which *they* intended to organize here. I have no objection to the idea in some points, however; and would only say that if it should come to pass in the good Providence of God, and in His infinite mercy upon us who do not deserve so great mercy, that this Protestant Episcopal Church should become the *only* Church of Christ in the United States, God be thanked and praised: but the *claim* to be such is another question. I ask as to the reaching of these results by such a claim—Has the Church of England which makes that claim and has made the claim that it is the National and only Church of England authorized by law and recognized in the Canons of the Church—has she, under such a claim, grown against dissent and against Romanism according to the idea which the gentleman will please us with? We say that we are to rout out Romanism and all dissent by such a claim as this, if I heard the case aright. But I think the Roman Catholic Church has grown more rapidly in thirty years past in England than the Roman Catholic Church has grown in this country out of the native population of this country. I believe the growth of the Roman Catholic Church out of the native population has been very small within the last thirty or forty years. It seems to me that this cannot bear out the idea that barely making such claims is seeking to accomplish such glorious results. I believe that *humility* is as likely to lead to exaltation of the Church as its own exaltation of itself would be. We are told that we must run a race with the Roman Catholic Church or that they will run ahead of us. If I were to be allowed to speak for myself, I should say that I do not desire to run a race with the Roman Catholic Church on any such course. I am ready to run a race with the Roman Catholic Church with all my might and main, but as the Protestant Episcopal Church of the United States of America; but as to undertaking to run a race with the Roman Catholic Church in all her claims and usages so as to stand side by side with her and to be able to tell the people that we have the same sort of priesthood and the same sort of sacrifices and altar; that we have all the claims that this Roman Catholic Church has and ape all her forms and ways—say to run a race with her for the Churchship of this country—I have no notion of it.—As to establishing schools, cannot this Protestant Episcopal Church establish schools as well under the name of Protestant Episcopal Church as under the name of Reformed Catholic Church? I say I cannot see how these glorious results are dependent upon this beginning. It is a beginning, and the deputy from Connecticut has uttered extremely important words to us as to this subject when he says *obsta principiis* [resist the beginnings]. This is a beginning; it is an entering wedge, we are honestly told. I have two or three other things to say. There are grave legal difficulties connected with this change as regards the donations and legacies that have been left to this Church, or, in Dioceses, left to the control of the conventions thereof. We cannot change our legal designation without legal authority, or if

we do so we may lose. I leave this part of the subject to be dealt with by the Deputy from Illinois, who I believe is fully prepared to state the case to us as a lawyer. It is an important thing to be considered before we go forward in this way.—Now, as to the objection to the term National which was made by the honorable Deputy from Alabama, I believe I have only to observe to him, while I fully reciprocate those feelings of gratification which he has expressed at being here to deliberate with us, that he still holds to the title General Council of the Protestant Episcopal Church of the United States of America. If we could have the Church without regard to National boundaries, a Church pervaded by the love of Christ spreading over the world without regard to National boundaries, I would most heartily rejoice in having such a result, *if it might be*. But I think it is an impossibility, taking man as he is and human nature as it is. Humanity may be so elevated by the power of christian truth one of these days that all wars and dissensions shall cease in the world; but we must not anticipate that time and make arrangements as if it had already taken place. Now, observe it would still be the General Council of the United States of America; it is still National.

Now it seems to me that great and inconsiderate haste is exhibited in bringing these propositions before the Convention, and particularly the amendment. That is nothing but my private opinion publicly expressed. It may be unwise in me to point out what are the future difficulties to which I may refer; because if I wanted to leave this matter in such shape as that at the next General Convention it could not be carried through, I would leave it exactly as these gentlemen have put it; and I would have this Convention pass these things as they are, and I should be perfectly sure that the whole thing would be completely finished at the next session of the Convention, finished, I mean, without anything being done. For what is the proposition? The proposition on the amendment is that the phrase General Convention wherever it occurs in the Constitution shall be changed to National Council. Look at Article first: "A General Convention of the Protestant Episcopal Church" and so on. Now, in the 6th line it is, "and in such place as shall be determined by the Convention." Now there is no proposition to alter that. The proposition made by the Deputy from Illinois (and of course he cannot change, because he has pledged himself that he will stand by every word like the laws of the Medes and the Persians, and will not change a word of his speech, and still less the text of his amendment), his amendment would not require the word convention to be changed because it is not General Convention. And so in three or four lines below, four or five times in that line, convention occurs; and it is only proposed that where General Convention occurs it should be changed to National Council. That certainly will not carry this Convention in so important and grave a matter as changing the Constitution, where the word convention stands alone. And I call attention to this matter; in the second Article it is said that "the concurrence of both orders shall be necessary to constitute a vote of the Convention." There is not a syllable in that article that I see before it about General Convention even to give antecedent to it. We see that the concurrence of both orders shall be necessary to constitute a vote of the Convention. In the third Article, "the Bishops of this

Church, when there shall be three or more, whenever General Conventions are held, form a separate House," etc. Further on—"in all cases the House of Bishops shall signify to the Convention their approbation or disapprobation." What is the Convention now in the meaning of the Constitution? It does not include the House of Bishops in the meaning of the Constitution. There, it is not "General Convention;" it is "the Convention;" and it means the House of Clerical and Lay Deputies, I suppose. It appears from this that it would be a very bungling piece of work, simply to change General Convention to National Council wherever the term General Convention occurs in the Constitution; because there are many other cases where Convention occurs alone which would have to be changed; and if you proceed to change Convention, wherever it occurs, to Council, then you will have this strange arrangement that the "House of Bishops shall signify to the Council their approbation or disapprobation." Now that is certainly, historically and ecclesiastically speaking, a strange state of things that the House of Bishops is not the Council and that they are to signify their approbation or disapprobation to those who are the Council. One word as to the inconsiderate haste with which this is proposed. There are two Rubrics in the Prayer-Book—before and after prayers, the special prayers to be read on the occasion of the session of this Convention—in which occur the terms General and Diocesan Conventions. It has never been proposed here to change that rubric, and we should have the rubric one way and the Constitution the other; and if there is any importance in changing words, it would be a sad divergence it seems to me. To make this change in the Constitution will require three years, and we cannot make this in the Prayer-Book until after three years.

While I have presented these difficulties, I think that, if anything were to be done with this, it should be referred to the Committee on Canons, although it is begged that it should not be referred to that committee. I would add this, namely, that in the prayer which we offer we pray that we may be under the guidance of the Holy Spirit—for what purpose? "That the comfortable Gospel of Christ may be truly preached, truly received, and truly followed in all places." It is an evangelical petition; and it closes with a Catholic aspiration; but observe how the faith of the Church, as it were, lingers when it approaches the Catholic aspiration—"until at length the whole of Thy dispersed sheep, being gathered into one fold, may be made partakers of everlasting life." Most heartily do I endorse the evangelical petition, and the Catholic aspiration; but let us remember that it is the petition which we offer.

HON. S. B. RUGGLES—obtained the floor, when the time of recess occurred. After which—

REV. DR. HAIGHT—moved to proceed with the order of the day, he having only waived its consideration.

REV. DR. ADAMS—I moved that the order of the day be postponed; that motion was seconded and passed. (Dr. Haight—when?) Five minutes before 12 o'clock. I conceive that instead of the gentleman waiving, we have postponed the order of the day by the action of this House.

REV. DR. HAIGHT—I was in the House and did not

notice the motion. I moved that the matter before the House be postponed for the purpose of taking up the order. I do insist that unless we proceed with the order of the day—

REV. DR. ADAMS—I call the gentleman to order, because Mr. Ruggles is entitled to the floor.

REV. DR. HAIGHT—asked permission of Mr. Ruggles to move the taking up the order of the day.

HON. S. B. RUGGLES—however, would only yield for taking the sense of the House upon the question of postponing the present question.

REV. DR. HAIGHT—declined to make the motion.

HON. S. B. RUGGLES:

MR. PRESIDENT, I rise to address this House upon that portion of the amendment, offered by my most learned and excellent friend from Wisconsin, which proposes that the name of this Church shall be the *National* Convention or Council, as the case may be. It is to discuss the propriety of introducing the word *National*, that I rise; and it is more proper to do so, because I am a layman, and think it is a branch of Church affairs peculiarly proper for laymen to discuss. Although it may be deemed a want of modesty for them to enter deeply into ecclesiastical matters, yet when it comes to a question of nationality, if there ever was a purpose for which the laity were brought into the Church, it was to discuss a question like that. I shall address myself very much to the laity of the House. I shall ask a caudid decision from both orders, but I shall confine my remarks entirely to that point. I wish to inquire whether, or not the introduction of this word *National* into our name to denote and to describe this Church, will be mischievous—whether it will be necessary—whether it will exalt the dignity of this body—and, lastly, whether it will increase its efficiency, as one of the working bodies of the Church Catholic throughout the world. In the first place, this Church and its character have been very much and learnedly debated this morning, as embracing only a particular denomination of Christians living in these United States. If I understand the argument of the acute and learned divine who preceded me [Rev. Dr. Goodwin] this Church is only one of several denominations of Christians who have their local habitation in these United States, and nothing more. I maintain, as far as I have been able to investigate a question of so great importance and extent, that it is something more. I have been told by my learned friend of the clergy that this Church was not established for the whole world by our blessed Lord and Redeemer, Who came down here to save it. I maintain that the Church does not exist for any one country or for particular denominations, but for the whole world. In the prayer of our blessed Saviour the night before His crucifixion, so full of parental tenderness, so exquisitely pathetic, His last prayer to His Father was, that we might all be one. It requires little teaching to convince me that the Divine Author of the Church meant to make us all one. If He meant it, it is our corresponding duty to attempt, by all lawful means, to become one. If He did intend to establish one Church for the world—one universal Church—one Catholic Church (and if I am wrong my learned clerical friends will correct me), and if this Church was instituted by its Divine Head, it is a Holy Church; and



If He intended to make a Church for the whole world, and did found it Himself, it is the Holy Catholic Church. The Church in carrying out that Divine injunction, every Sunday bids us pray "We pray for Thy Holy Church universal, that it may be so guided and governed by Thy good Spirit, that all who profess and call themselves Christians may be led into the way of truth, and hold the faith in unity of Spirit, in the bond of peace, and in righteousness of life." Therefore we are carrying out in the daily Morning service of this Church that blessed injunction of the Saviour to have one holy Church universal. That prayer is like the drum-beat of the British empire that was heard round the world, for it encircles the globe, in the Morning and Evening Prayers of the Church, ascending to the Great Architect of the universe from all the Churches catholic—that they may "hold the faith in unity of Spirit."——How is this Church distributed geographically? the ancient Church occupied a small portion of the surface of the globe—a little part of Asia Minor, Jerusalem, and a little part of the coast of the Mediterranean sea; but all without and beyond was barbarian darkness. It knew nothing of the East. It knew nothing of this other hemisphere. It was a small speck on the world's surface. What does it occupy now? It has circumnavigated the globe; it embraces both hemispheres—all the continents, new and old. It formed a Christendom out of the barbarians of Europe. It has extended into the southern hemisphere. Its prayer is heard from the Cape of Good Hope, from Calcutta, from the furthest Indies,—until every portion of this globe unites in one common prayer. Now, what is our duty, if we seek to obey the injunction of our Lord and Redeemer? It is to make that great cosmical, world embracing Church, one. What are we? How much of the work are we doing? and what do we represent? We occupy a very respectable portion of the surface of the earth—not all of it, by any means, but a very respectable portion; and we have a very eligible and desirable position in the part of the world we occupy for a Church: that piece of land on this globe bounded on the East by the Atlantic, on the West by the Pacific, extending from the fragrant groves of the South and the Gulf of Mexico, to the Polar basin. It offers a very good site for the Church. It has all the elements, powers, capacities, and prospects in the future, to form the central site of a great world-embracing Church. It is not only a good position but a pre-eminently important position geographically. We look out upon both oceans; and in fact we shall become the centre of the great systems, which I can not but think my excellent friend from Pennsylvania did slightly caricature. We are earnestly engaged in this elevated, cosmical, world-wide work of making a Church universal. We do not deserve sarcasm nor ridicule. Our work is honest; it is large and comprehensive and Christian; and we do not deserve to be caricatured.

REV. DR. GOODWIN—Will the gentleman allow me with all my heart, to disclaim any disposition to caricature or speak sarcastically of the work of the Church?

MR. RUGGLES (resuming)—Now, sir, in what sort of political condition is this part of the globe which we occupy for the Church—that which we call our country? I will now particularly address myself to those friends whom I so gladly welcome back to the Convention. I wish to remove

from their minds any difficulties upon the subject of nationality or any political subject whatever. But I must inquire what is the political character of that piece of the world's surface which we call our country? In the first place, I mean to say that this Church exists on that portion of the surface of the globe, entirely independent of any political connection with any government of that country. This Church is embosomed between two oceans on this geographical surface; it does not belong to the government of that country. This Protestant Episcopal Church, as was most significantly defined in its origin, is the Protestant Episcopal Church, not *of*, but *in* the United States. We do not use the word in the possessive, but we use the geographical preposition *in*; and this is not a verbal criticism; these two little prepositions mean very different things. It is the Protestant Episcopal Church *in* the United States. Therefore, we have nothing to do with the government of this country. The government is not a religious body. The Constitution, the Government of the United States, has no religion: I am sorry it is so. It has been defined as a Godless Government; it is not quite so; but the political government of the United States is not a religious body—the more is the pity. It has no connection with the Church. Of late, the Government of the United States has taken upon it a little religion, for it has put on all of its coins: "In God we trust;" which was the first step that I have ever known taken in this Government to recognize a Supreme Being. How does the Church exist within the geographical limits of this nation? It is no sort of consequence what form of Government that nation has. It is of no possible importance whether these thirty-five million people living between these oceans are a collection of atoms without any coherence with each other, or rising to the dignity of an association, or a confederacy, or a union, or a nation. With these questions the Church has nothing to do; it exists entirely apart from all questions of political Government. This Ship of State in which the Church is embarked is the subject of great differences of opinion between us at the North and some of our much esteemed friends at the South, we holding it to be a union, and they, on the other hand, holding it to be a confederacy or league. But we can not discuss those questions here. We meet on common ground. It is no matter to the Church whether she be embarked in one great majestic line-of-battle-ship, or a flotilla of forty gunboats; it is nothing to us; it is enough for us to know that the Church is on board, and we have got to go with the ship, be it one or be it many. I must, however, contend that in forming the government of the United States and defining its name to be the United States of America, a political entity of some sort was created, call it what you may, the Union, the Nation, or anything else. That political entity has within itself enough of the functions, attributes, and faculties of a Nation, to preserve its own existence, and to preserve its geographical integrity. We must take that as a fact. We may deny all else, but we can not now deny that that political entity called the United States has that inherent faculty and function which belongs to a sovereign government to preserve its existence and its territorial integrity; and I pray to God it may, and I do not doubt it will, preserve it for countless ages to come. The integrity of that great territorial area does concern this Church. The fact of its being occupied by one nation is of



interest to the Church, because we wish to be one great united Church. Why is a large area desirable? It is desirable that we, this American people, may have due influence when the great convocation of the nations of the earth takes place to form one universal Church—an event which is certain in the future. [Messages, elsewhere mentioned, from the House of Bishops, were here received and read; when Mr. Ruggles continued].

I was proceeding to say that this political structure called the United States has the power to preserve its own life and its own territorial integrity. Having that power, it must be considered to possess in the view of all other surrounding nations the essentials of a nation. A political structure that has that transcendent power in itself may fairly be denominated a nation. But it is not necessary to use the word national for the councils or conventions of this Church, because it would be tautological. The United States *ex vi termini* is a nation. Foreign nations do not go into the question of its internal government. They look at it living as one, and see it preserving its life as one; and, therefore, the external nations treat the word United States as signifying a nation, and, if they do, it is not necessary for us to use the word national in designating this Church; the Church of the United States is the Church of the Nation. That is all that is needed. It is enough for me to be a citizen of the United States. I need not claim to be a citizen of the nation. To be a member of the Church of the United States is enough for me. What I mean to say is, that the use of the word National is superfluous and unnecessary. We are willing to leave it "in the United States," and they may call it what they please. It is enough to be "in the United States." Why is it necessary to preserve our territorial area for ecclesiastical purposes? I do not speak with the national pride of every citizen of the nation. I speak of the ecclesiastical necessity of having a large area. We ought to have a large territorial area because the other branches of the Church of the world have large areas, and that we may have something like an equality of representation in the convocation of the Church of the whole world that is coming sooner or later. The great empire of Russia has twice the territorial area that we have; it is inferior in quality perhaps, so that the territory of this and that nation are probably about equal; but she has twice the geographical area in which she has an immense Church transmitted to her most legitimately from the genuine Greek Church as established by the Fathers, and carried there by a Greek princess tied to her barbarian husband, but through that husband and that Greek princess diffused through that vast empire. When we have an Ecumenical Council that Church will be represented; and I wish that this Church shall stand on an equal ground. What shall we say of the Anglican Church, with her little island and with her outlying empire covering the whole globe? When that great meeting takes place, this Church ought to show an equal dignity and an equal weight, if possible; and it is no time to diminish her territory, but rather to increase it. It is our duty as Churchmen, without meddling with political questions, if possible, to extend it. The empire of Russia is a religious empire; it is eminently religious—far more religious than ours. Religion pervades the whole of it. Religion has fought its battles. Her re-

ligion defended the empire in the struggle of 1812; and I will tell my friends, that a single sermon of the Archbishop of Moscow did more than any one thing to drive back the French invasion. I must speak of Russia with profound respect. We must meet her in convention when the great Ecumenical Convention occurs; and therefore I wish to increase our territory. That great Russia recognizes the existence of the American Union as necessary "to preserve the political equilibrium of the globe." I say, to carry out the same sentiment, the extension of the American Church to its widest limits is necessary to the ecclesiastical equilibrium of the globe. Now, occurs a point upon which I wish to make some remarks. At the last General Convention, the Metropolitan of Canada was invited to a seat in our body; and the wish was expressed by him that some measures might be taken to secure a closer union with the Anglican Church and the other Churches throughout the world. The debates show that the subject of the importance of a union with the Anglican Church was particularly alluded to by the Lord Bishop; and his proposition was supplemented by a suggestion in that Convention that the great council which he proposed should be extended so as to include the orthodox Church of Russia. Now, what took place in that Convocation of the Anglican Church? As Bishop Fulford had proposed, the Archbishop of Canterbury issued his invitation to all the Bishops of the Church, not only Anglican but American. He did not call a Council, because it had not reached that degree of maturity yet; it was called a Conference. On the subject of the word Conference I can only say that in civil life it is one of the highest of diplomatic facilities. Nations have Conferences where they meet by their representatives. A Conference is the highest mode of diplomatic meeting. A Conference of the Church is not so trifling a matter. This Conference took place; and nineteen of our Bishops attended. Now we naturally ask what took place. Those who attended that Conference from this country were gladly received on their return; and we have expressed our opinions, warmly approving their attendance. The resolutions generally are not of an organic character except the single one introduced in respect to Natal, which suggested that they should elect the Bishop by clergy and laity. But that is immaterial. What concerns us is that they passed this resolution unanimously:

*Resolution 4.* That, in the opinion of this Conference, unity of faith and discipline will be best maintained among the several branches of the Anglican Communion by due and canonical subordination of the synods of the several branches to the higher authority of a synod or synods above them.

That is an approach towards an organism. There is an ecclesiastical Council suggested—the formation of a synod, superior to this Convention, superior to that of any local Church. That is some evidence that the drift in that direction is pretty rapid. We shall reach this General Council a little sooner than is supposed. In view of the probability that this Church will have to be represented there in some form, it may as well be represented as the Convention of the United States as to be represented as the National Council of the United States. The two terms, as I said before, are synonymous. Whoever comes from the Church in the

United States will have sufficient authority and need not be called the representative of the "National Church of the United States."

Two messages were received from the House of Bishops announcing their concurrence with the House of Deputies in their action as announced by their messages No. 8 and No. 9.

Rev. Dr. NORTON, of Virginia—I have been wanting some time to get the floor, but not that I desired to make a long speech. My aim is not to pursue any of those inquiries that have been raised by other gentlemen, but rather to draw in from their limit to the consideration of the simple question involved in the resolution which was submitted yesterday evening. I may say that I can not view without profound admiration the expansive power of the reverend gentleman from Pennsylvania [Rev. Dr. Goodwin]. Why, sir, I feel disposed to bestow upon him the encomium which was conferred upon an eminent lawyer in my part of the world, of whom it was said, he could erect a pyramid upon the point of a needle. (Laughter.) And it may be said of other gentlemen who have discussed this question that they are little inferior to him in that respect. I have been almost disposed to withdraw from the whole question because of the alarming subjects which seem to be connected with it. Let me beg the reverend gentleman from Pennsylvania not for a moment to believe that we are beginning now to organize this Church. That has been too long and too well organized for any layman to be alarmed at any charges made against his Churchmanship or Christianity. I take it that in this proposition to change the name of our deliberative assemblies, no man's Churchmanship or no man's Christianity is at stake. The whole question is one simply of names. And with regard to this proposed change of names, of course it is objectionable because it is a change. It is objectionable likewise, because we have become accustomed to the name convention; though I have not heard a gentleman who, if it were now an original question, would not now, with the present lights before him, use council instead of convention. No gentleman has expressed the opposite idea. It is no imputation upon the wisdom of our venerable Fathers who organized the American Church, unable as they were to foresee all the multiform activities of this great people which should call for the name convention to be applied to such various assemblies—to suppose that they, if they could be with us to-day to choose a new name, would take some other than that of convention. If this be a mere question of prejudice, of association, of unwillingness to make a change even in names, let me say that there is no Diocese represented upon this floor which has so old an association with the word convention as the Diocese of Virginia. The gentleman from Pennsylvania has spoken this morning as though this word first came into use as an ecclesiastical word at the time when the General Convention first assembled. Let me tell that gentleman that the establishment of the General Convention is in our times almost, by comparison with the usage of this word with the Church of Virginia. We have the complete record of the convention of the Church in Virginia which was held more than 150 years ago. And notwithstanding all our associations with this word in former years, we in Virginia have agreed with other Southern dioceses to adopt

the name council. And our old prejudices against it have passed away, and use has made it familiar to us; and we have heard on many sides of us a wish expressed that we would retain the name in hopes that other dioceses would adopt the name, and that it would become finally the general term adopted by our Church. Now, it seems to me that the indications are plain that there is a disposition on the part of dioceses to adopt this name. Several have done so, and the other day we admitted a new Diocese with this name council for their deliberative assembly, indicating clearly, I think, not so much a deliberate expression of opinion on the part of the General Convention that that name was right, or that the Diocese had a right to it, but, at least, that the General Convention is not inclined to place any obstacle in the way of the adoption of that name. I have promised not to detain this Convention, and though very much tempted to remark upon a number of difficulties that are supposed to be in the way of our adopting this resolution, let me say, that if the reverend gentleman from Pennsylvania will take the word council and carry it through the entire constitution with all the amendments, he will find but a single incongruity there—that which he called attention to this morning, and which exists in precisely the same form and to the same extent, whether you read council or convention; it was an oversight. We are told that the adoption of this resolution now will indicate a purpose on the part of the Church to change the name. I will not say *purpose* but a willingness on the part of this Convention to use the word council, on a three years proof to see whether among all the dioceses a majority of them shall be disposed to adopt this measure. That is all that is involved. It was mentioned that the passage of this resolution was an interference with diocesan rights, in the judgment of the learned gentleman [Judge Conyngham], eminent for his learning and ability, also from Pennsylvania. If we send out to the Dioceses this preliminary measure, is it not plain that nothing can be fixed for three years, and that if adopted at all even by the next General Convention, it must previously have received the consent of the majority of dioceses declaring their willingness to make the change. It at least gives them an opportunity to express dissent. Assuredly, unless at the end of three years a majority of the dioceses represented on this floor, having had the question before them, as this year, are ready to adopt it, the whole attempt proves of no avail. I do not feel inclined to prosecute the subject further. I have regretted that so many questions have become connected with this simple one of change of name. I should be very much gratified if the reverend gentleman from Wisconsin, who offered the amendment to my resolution, would take up some other word than that proposed by him, upon which we could all unite and take a fair vote upon the single question as to the name convention.

REV. DR. ADAMS.—Will the gentleman allow me to explain? (DR. NORTON—Certainly.) If the gentleman from Virginia will be satisfied with the word Council for the word Convention in the Constitution, and for the words General Convention the words Triennial Council or Great Council, according to his choice, I am perfectly willing to withdraw my amendment, and let it come to a fair and square vote upon his resolution. But



I would say that to keep the word General is simply to complicate us with all ecclesiastical history; because in all ecclesiastical history the fact is, that there are four classes of councils—the General or Ecumenical Council, the Provincial or State Council, the Diocesan Council. Now if we leave the word General, we simply commit an ecclesiastical blunder, an Irish bull perpetrated by this House; and, therefore, if the gentleman from Virginia will substitute the words Triennial Council for the General Convention, or the term Great Council, I am perfectly willing to withdraw my amendment, and have a square vote on Dr. Norton's amendment.

REV. DR. NORTON.—I am much gratified at the spirit manifested by the gentleman from Wisconsin. I have hastily drawn up such an addition to my resolution as covers precisely the ground the gentleman has indicated. It adds to my former resolution the words "and that the word Triennial be substituted for the word General wherever the latter word is followed by the word Convention in said Constitution."

REV. DR. MAHAN.—It seems to me that there is no objection to the use of the word General, because the term will not be simply "General Council," but the "General Council of the United States." That makes a title distinct from any of those which the gentleman mentions. There is the Ecumenical Council, which relates to the whole world; and there is the General Council, in antiquity; and then there is the Diocesan Synod, etc. The limiting term of the United States sufficiently qualifies the term General Council. If we adopt any such term as triennial then we pin ourselves to that particular term of years. We adopt a mere accident as the name of the council.

REV. DR. HOWE.—I simply have to ask if calling this a General Council would be an Irish bull, what sort of bull or what sort of animal would it be for us to say that there shall be a Triennial Council of the Protestant Episcopal Church in the United States of America in every third year? (Laughter.)

MR. C. C. PARSONS.—If the gentleman will yield the floor I will introduce the following resolution: [which was to the effect that the subject of a change of name should be referred to a joint committee, to consist of three Bishops, three clerical and two lay deputies.] I wish to say a few words in explanation, first, relative to personal usage. I do not wish to be a member of this committee, but wish the best minds to be placed upon this committee; and, secondly, I wish to say that when the Committee on Canons made their report a short time since, I would have been content to have allowed that report to remain upon the table, as the Diocese of Kansas has not called for the change from Convention to Council; but I am obliged to confess that when this discussion was for a long time continued, I became deeply interested. I saw in my imagination, under the fervid and eloquent remarks of several deputies on this floor, this Church risen to a high and august position upon

the earth; and I desired, so far as it was in my power, to furnish her with every weapon and every part of armor necessary for her to fight the good fight with assurance of success; and hence, if it be possible that this change of the word Convention into Council can be made, I earnestly desire that it may be made; but at the same time it seems to me that no great change in our Constitution or Canons should take place until it has gone through the machinery of a committee; and I inquire whether this House is ready to vote upon this question? It seems to me not; because, first, if the vote be adverse, it would certainly be unjust to the memorialists from Georgia, who have not been able to have a hearing before the Committee. If the vote should be favorable, it would certainly be wrong to adopt a change until the amendment introducing it had been carefully elaborated and reported upon by a committee. With regard to its being a joint committee, I desire to say that I have been told by one of our Right Reverend Fathers that this same question has been before the House of Bishops. Whether it has been decided or not I do not know, but I believe it has not been decided. It is important that they should join in the consideration of this question. If their report be adverse, a committee of conference of course would be necessary. If their report be favorable, they can assist in throwing light upon the subject. It seems to me that the discussion of this question in this crude manner only places us in a false light. I dare to say that if these gentlemen who have discussed the question so ably were put upon the committee some satisfactory conclusion might be reached. I desire not to be a member of the committee, and I shall expect that the President will not appoint me upon it. I believe that if the resolution as I now propose it be adopted, the present debate will end. And when this House takes up the debate again, it will be with a clearer idea of the work before them. One word in regard to phraseology. We have had references to Canons, Constitution, and the Prayer-Book. There seems to be a great deal of doubt as to how far the amendment should be made. I have therefore used the words "in part"—this is to say that the committee are to consider the subject of a change in part or wholly.

DR. NORTON.—Does the resolution call for such a report as would give us a proposition in definite shape for our action?

MR. PARSONS.—No; it intrusts that grave matter to a committee without instructions.

HON. S. B. RUGGLES.—Does the gentleman indulge in the monstrous supposition that two laymen are equal to any three of the clergy? (Laughter.)

MR. PARSONS.—Will it meet the views of the delegate from New York if I make it three laymen and three clergymen?

MR. RUGGLES.—Certainly.

MR. PARSONS.—Then I accept the amendment.

MR. ———.—As I understand the question before the



House it is simply whether the word Convention be changed to Council. That is not the name of the Church; it is the name of this body.

MR. PARSONS thereupon substituted "nomenclature" for "name" in his resolution, and afterward changed it to "designation."

REV. DR. ADAMS—I wish to be permitted to withdraw altogether my amendment, if the House will allow it, and then I am perfectly content to go in upon Dr. Mahan's explanation and vote for the words "General Council in the United States."

JUDGE BATTLE—I wish to say a few words on this subject. I wish to call the attention of this House to a plain, practical difficulty. It is a discussion about words—whether we shall take the word convention or the word council as designating the general legislative body of this Church in the United States. Now does the word convention express the idea which we have all along entertained with regard to this legislative body? I believe that it will be admitted that the word convention expresses the idea. Now why change it? Why adopt another word? Certainly there can be no good reason for it, unless the word convention has in some way become degraded. We were told the other day that it would become so—that it was so commonly used on all occasions that it was not a proper word to signify the general legislative body of this Church. In answer to that objection I will not use the precise language the speaker used—the President has requested that it should not be used again. Now what word is there in the English language that can be applied that is incapable of becoming degraded? Let us try the word *good*. I believe that is a good word—now see what a vast variety of cases there are in which it may be applied. A loving husband speaks of his good wife. The wine-bibber speaks of his good wine; and if he is profane he adds an adjective. A gambler of his good luck. And some friend will speak of another of whom he does not entertain a very high opinion, and will say "he is a good fellow." Now here is the word *good* applied in a variety of ways; and yet who will object to the word *good* on that account? The same is true of the word convention. If we change that word to council will it suit any better? May not that be used by all the religious denominations? Then why should we throw aside a good word? I admit that if we had a word which implied a grand humbug or something of that sort, it should be changed; but no such idea as that can be attached to the term convention. So it seems to me that in a plain and practical view of this question, we are at least discussing the question whether we shall pass from tweedle-dum to tweedle-dee.

MR. ————:—There is a difference between Convention and Council. A word not only denotes, but it *connotes*. The word Convention means an occasional assembling for any purpose, as the Convention of a State to alter the Constitution. It is inappropriately used to denote any meeting which is regular and or-

dered by the organic law. For this reason I would like to get rid of the word Convention. The difference is not that between tweedle-dum and tweedle-dee. The word Council conveys the idea of a meeting regulated by organic law.

MR. ————:—I do not see any necessity for such a change—every Council is a Convention, but not every Convention a Council.

MR. ————:—I was told by one of the members of the House of Bishops that they are of the opinion that, as the matter now stands, any diocese has the right to use the word council.

REV. DR. HAIGHT—Mr. President, is it right for any gentleman to state upon the floor of this House what is the opinion of the House of Bishops?

PRESIDENT—Certainly not.

JUDGE OTIS—It is evident that the proposition before the House for passing the resolution of the clerical Deputy from Virginia would not have the effect that he designs even if adopted word for word as he proposes it, or as amended by Dr. Adams. This Church for seventy-nine years from its first organization has legislated in a particular manner; to use the language of the lawyer, it uses meet and apt words to accomplish the objects in view. If we convey land, we must use words that have the operative effect to convey the land. If we repeal a law, we must use the words necessary to repeal the law. A resolution can never change a canon, much less the Constitution, much less the Prayer Book. If passed it will be a nullity. Therefore it has been announced that they do not want it referred to the Committee on Canons. As one of that committee I am very glad, for other gentlemen could be constituted into a committee. But some one must put it into the proper form to accomplish the object they desire. The change necessitates about twenty changes in the Constitution and four in the Prayer Book, and these must be effected by somebody.

I will answer the question put as to the effect the change has upon donations and legacies. How far the term Convention is so interlaced and interlocked with State legislation that it cannot be changed I do not pretend to say or know. That is for the committee to investigate—whoever undertakes that labor of getting up the necessary form to change the Constitution and Prayer Book.

MR. BARTHOLOW:—Believing this learned discussion has satisfied this body that it is inexpedient to act upon this question,<sup>6</sup> I move the whole subject be laid upon the table.

The motion was lost.

DR. LITTLEJOHN—moved to indefinitely postpone further consideration of the subject.

THE PRESIDENT—decided that a motion of indefinite postponement allows the discussion of the merits of the question.

A MESSAGE,—Number 11, from the House of Bishops, announces their non-concurrence with the action of the

House of Deputies as communicated by their message number six, and asks for the appointment of a joint commission.

MR. WELSH—claimed the right to the floor, and that Dr. Littlejohn's resolution of indefinite postponement was not in order, as he did not yield the floor to him for that purpose. The latter part of the resolution, which is specific I think, is without any material objection, though I would prefer that the whole should be voted down. It is changing the name of our primary meetings. What possible benefit can arise from it? I cannot see any advantage in changing the name. I call for a division of the subject.

REV. DR. MEAD—I am opposed on principle as well as expediency to this appointment of joint committees on questions which have been thoroughly debated and are perfectly understood in this House and on which I presume at this moment every member is prepared to vote. The mingling of the two Houses in joint Committees has had a bad effect. It is just bringing us back to the original condition of the General Convention, which originally consisted of one House, the Bishops sitting with the clerical and lay Deputies, and voting with them.

REV. DR. LITTLEJOHN:—I renew the motion to postpone indefinitely. I do it not with the view of stifling discussion or to defeat action upon it, but in order that it may take the course it ought to have taken from the start, to relieve us of this whole day's debate. I therefore renew the motion to postpone indefinitely the resolutions which are before the House.

The vote having been taken by ayes and noes, and a division being called for, a tie vote was the result, which was settled in the affirmative by the vote of the President; so the subject was indefinitely postponed.

REV. DR. MEAD—moved that a Committee of Conference be appointed on the part of this House on the subject of message No. 11 from the House of Bishops.

The motion was adopted, and also a motion that the committee consist of three clergymen and three laymen.

The Secretary read a communication transmitting the triennial report of the Board of Trustees of the General Theological Seminary, for the year 1868, and submitting a resolution non-concurring in a proposed amendment of the Constitution of the Seminary.

The financial condition of the Seminary is exhibited by the following statement from the above-mentioned report.

Total Assets	\$350,500
<i>Estimated Expenses for 1868-9.</i>	
Taxes and assessments	\$3,000
Repairs	1,000
Insurance and printing	650
	\$4,650
Maintaining Seminary—	
Scholarship and prizes	\$2,300
Professors' salaries	8,000
Janitor and assistant	900
Librarian	150

Supplies	1,000
Agent's commission and expenses	300
	\$12,650
Total expenses	\$17,300

<i>Estimated Income Same Period.</i>	
Rent	\$5,000
Interest	6,760
Donations	340
	15,100

Estimated deficiency \$2,200

It is hoped by the trustees that this deficiency will be met by leasing additional lots. The number of students at the seminary during the last three years is reported by the trustees to have been 57 in 1866, 56 in 1867, and 63 in 1868.

REV. SAMUEL CLEMENTS, of Ohio,—introduced a resolution relating to canons for the admission of candidates for Holy Orders, and asking for the appointment of a committee thereon.

On motion, these resolutions were referred to the Committee on Canons.

On motion of Dr. Haight, the report of the Committee on Canons as to Canon 12 Title I. was made the order of the day for Friday.

The House then adjourned to 10 o'clock to-morrow morning.

#### EIGHTH DAY.

Thursday, Oct. 15, 1868.

The Convention met pursuant to adjournment.

Morning Prayer was said by Rev. Thomas M. Martin of Indiana, and Rev. Thomas C. Pitkin, D. D., of Michigan. The Benediction was pronounced by Bishop Kemper.

The journal of yesterday's proceedings was read and approved.

Reports of Committees being in order, Rev. Dr. Pitkin reported, from the Committee on New Dioceses, a preamble and resolution concurring with the action of the House of Bishops, in ratifying the organization of a new diocese within the limits of the Diocese of Western New York. Adopted.

The Right Rev. the Lord Bishop of Fredericton, Nova Scotia, was introduced to the Convention, and assigned a seat by the President.

REV. DR. MANNEY, of Minnesota, reported in behalf of the Committee to whom was referred the canon subdividing the Protestant Episcopal Church in the United States into several provinces. The report in favor of the provincial system was submitted without present action.

REV. DR. HAIGHT, of the Committee of Canons, reported a resolution of concurrence with the House of Bishops as to amendment of section 2, Canon 10, Title I. Adopted.

A report from the same Committee, reporting a new canon in lieu of Canon 10, title 1, in relation to election of assistant Bishops, was, by motion of Dr. Haight, laid on the table to be called up.

A report from the Committee on Canons, in refer-



ence to consecration of churches, was laid upon the table and ordered to be printed.

The Committee on Conference with House of Bishops, on the subject of Church Unity, was appointed by the President.

REV. DR. MANNEY moved that the resolution on the provincial system be referred to a special committee of five.

An amendment to print having been withdrawn, the report was so referred.

On motion of MR. SHAND, of South Carolina, the sessions of the House are to extend from 10 A. M. to 3 P. M., without recess.

MR. ——— offered a resolution that the Committee on Canons consider a proposed amendment to Canon 5, Title 3, namely, by adding after the words, "ecclesiastical authority" in the 14th line, 20th paragraph, the words "consent for such formation or establishment shall be considered as granted unless refused within three months after the ecclesiastical authority has been notified of the intention of forming any such parish." Referred.

On motion of REV. DR. HAIGHT, the Convention proceeded to the consideration of the order of the day—the report of the Committee on Canons in reference to article 5 of the Constitution. The report recommends the article read, as follows:

A Protestant Episcopal Church in any of the United States, or any territory thereof, not now represented, may, at any time hereafter be admitted on acceding to this Constitution; and a new Diocese, to be formed from one or more existing Dioceses, may be admitted under the following restrictions:—

No new Diocese shall be formed or erected within the limits of any other Diocese, nor shall any Diocese be formed by the junction of two or more Dioceses, or parts of Dioceses, unless with the consent of the Bishop and Convention of each of the Dioceses concerned, as well as of the General Convention, and such consent shall not be given by the General Convention until satisfactory assurance of a suitable provision for the support of the Episcopate in the contemplated new Diocese shall have been given and accepted.

No city shall form more than one Diocese.

In case one Diocese shall be divided into two or more Dioceses, the Diocesan of the Diocese divided may elect the one to which he will be attached, and shall thereupon become the Diocesan thereof, and the Assistant Bishop, if there be one, may elect the one to which he will be attached, and if it be not the one elected by the Bishop he shall be the Diocesan thereof.

Whenever the division of a Diocese into two or more Dioceses shall be ratified by the General Convention, each of the Dioceses shall be subject to the Constitution and Canons of the Diocese so divided, except as local circumstances may prevent, until the same may be altered in either Diocese by the Convention thereof. And whenever a Diocese shall be formed out of two or more existing Dioceses, the new Diocese shall be subject to the Constitution and Canons of that one of the said existing Dioceses to which the greater number of clergymen shall have belonged prior to the erection of such new Diocese, until the same may be altered by the Convention of the new Diocese.

And that the following be adopted as a new Canon, to be section IV of Canon 6, of Title III.

No new Diocese shall be formed which shall contain less than six Parishes, or less than six Presbyters, who have

been at least one year canonically resident within the bounds of such new Diocese, and regularly settled in a Parish or congregation therein, and qualified to vote for a Bishop.

Nor shall any new Diocese be formed if thereby any existing Diocese shall be reduced so as to contain less than thirty Parishes, or less than twenty Presbyters who have been residing and settled and qualified as above mentioned.

REV. DR. HAIGHT stated the principal points of the report, and the features of the proposed amendments, and answered various inquiries concerning them. He said: The Convention will observe that the effect of these amendments is to strike out all the existing restrictions in the division of a Diocese except that which arises from the necessity of the consent of the Bishop of the Diocese, of the Convention of the Diocese, and of the General Convention, and add only one other restriction, and that is, that "the consent of the General Convention shall not be given to the erection of a new Diocese, until satisfactory assurance of suitable provision for the support of the Episcopate in the new Diocese shall be given and accepted."

MR. FAIRBANKS, of Tennessee moved to strike out the quoted clause—as inexpedient, vague and impracticable. The question of provision for their Bishop ought to be left to the Diocese to be divided.

REV. MR. HANCKEL, of South Carolina:—I should not regret to strike out this last and only restriction which is left by the Committee on Canons, for it brings up *ex necessitate* a broader question—namely, shall we allow any limitation of the multiplication of Bishops? I am opposed to such an indefinite multiplication of Bishops, and upon principle. That multiplication has been urged by its strenuous advocates. The theory is that the Bishop is the pastor to each congregation, and that the ultimate responsibility and authority rests in him. This, in the first place, is not the theory of our Church, and its adoption by us would be fatal to our whole system as a Church. It would gradually introduce among us a system of presbyterianism in lieu of Episcopacy, and the Bishops would sink to the grade of presbyters, and the three orders no longer be found in the practical administration of this Church. I believe that the Presbyterians, on one hand, and the Methodists, with the system of presiding Elders, on the other, will take off their hats and thank these advocates of the indefinite multiplication of the Bishops. If you have no other restriction than the one proposed by the Committee—a pecuniary restriction—what is the direct effect? Vast districts would be deprived of such additional Episcopal service as they may imperatively need, while on the other hand, the large-moneyed centres of the country will have it in their power to multiply indefinitely their Bishops upon a representation to this body that they are able to support them; and thus a few moneyed centres would really control the House of Bishops. The ground upon which the multiplication of Bishops has been urged, is defeated by this provision. I contend that it is just in those scattered districts dis-



tributed over large areas, without the facilities of inter-communication, that we need additional Bishops, if we need them anywhere; and yet, a Bishop may come before this Convention, elected by his Diocesan Convention, and for the want of what may be deemed a suitable support, he may be denied his Diocese, and his Diocese be deprived of his almost indispensable services. I ask, sir, whether we are not to have the privilege in our day of apostolic self-denial and devotion as well as the apostolic order, and whether it may not be possible for a Bishop with limited ideas of adequate support to come here and say, "In weariness, in hunger, and almost in nakedness I am willing to serve this Diocese to which I have been called in the providence of God," and yet, for the want of what may be supposed adequate support, the Diocese may be refused his services, and he, his work. I contend that this proposed restriction does not meet the case, and that it is best to meet it by the existing provision of the Canon, where the number of presbyters and the area to be traversed make up two of the elements to be considered. Otherwise, you have a Bishop with, according to this Canon, but six presbyters and six parishes, with little or nothing to do. No matter how restricted the area, yet, if there be six presbyters and six parishes they may claim a Bishop, provided they are rich enough to support him; and where will the thing end? Multiply miracles, and you unmake miracles. There are miracles happening every day, as in the rotation of the earth upon its axis in the orbital movements of the heavenly bodies, more than were ever wrought in the attestation of truth. The stopping of the sun by Joshua is cited as the greatest of all; yet, the going forth of the sun on its daily course is a vaster and perpetual miracle. Why does it attract less attention, and that of Joshua greater attention, but that the one wrought by Joshua was unusual. Now, multiply Bishops and you unmake Bishops; you lower the dignity of the office; and you diminish its influence; and instead of these wondrous effects which we are told will result from the multiplication of Bishops you will find you have shorn yourself of your strength; for the fact that the Bishops' visits are a very unusual thing is what attracts the multitude to hear him. Make the visit a matter of frequent occurrence, daily, or even once in three months, and it becomes an ordinary occurrence and his influence in that respect is gone.

Rev. Dr. HOWE, of Pennsylvania.—I desire to utter one word of explanation. My reverend colleague who presented this canon to the House, expressed his opinion as to what constituted support of the Bishop under the provision of this alteration of the constitution, and he said, as his own opinion, that he believed that it should be such that the Bishop need not engage in keeping a school. He answered also the question whether the Bishop might have a parish, in the negative; but that was barely his own opinion. The terms of the Constitution as proposed by the Committee on Canons,

leave it entirely in the hands of the Convention to decide what constitutes an adequate support. If the Bishop and if this Convention recognize that the care of a parish where the Bishop is maintained is sufficient guarantee for his support then the Diocese may be divided under the terms of the constitution as now proposed. I state it at this time because it partially answers the objection of my reverend brother of South Carolina.

Rev. Mr. HANCKEL.—It does not answer it. It leaves to the Convention the decision of the question whether it is an adequate support.

Rev. BENJAMIN ROGERS, of Texas:—I am from a Diocese more deeply interested in this question than any other represented in this Convention. My Diocese has acted, and instructed me to act in this matter; and I wish to submit an amendment to the Canon as reported by the committee, and then give my reasons for the introduction of this amendment. "Amend the second clause of article as proposed by the committee by striking out all the said clause after the words as well as" etc.

If the Convention will pardon me a moment, I will give some of my reasons for this action. When the memorial from the State of Texas was read, and perhaps the Convention will have read it as a part of the record, it appeared that "the Rev Mr. Rogers then offered" etc., [reading from the memorial from the Diocese of Texas]. This [the resolution of the Diocese of Texas] covers this very matter removing restrictions of dioceses. Mr. President, the Bishop of the Diocese of Texas knew very well for what he was asking; and the Diocese of Texas knows very well what she comes here to ask. She is too modest to ask for that which is asked for by a thousand trumpet tongues, she knows that she stands here as a diocese needing above all others this very thing to be done for her. Texas has more than three hundred thousand square miles of territory. From her eastern to her western boundary, starting at the river on this side and going to the river on the other side is a line equal to a line from the city of Boston to the eastern line of the State of Indiana, and yet it is but one diocese. From the South to the north, starting from the Rio Grande and going up to the Indian Territory is a line equal to one starting from the point where we stand to-day and going down through all the intervening states until you reach the State of Florida; and yet she has but one Bishop. Now suppose the territory extended as far as from Boston to Indiana in one direction and from the city of New York to Florida on the other constituting with its twelve or fifteen parishes, but a single diocese. Suppose there are stretching along from end to end several great rivers that come rushing down, rising thirty feet in a night, with their hundreds of other streams only smaller than they, that in a single hour come in from the hills that surround them, rushing so wildly that horses and carriages, men and all, and stages are swept away. Now, that is all under one Bishop, and he is compelled to travel almost constantly to visit his parishes. Now suppose that there are but twenty Presbyters in all that vast territory; yet there are 127 counties each county of which is larger than were the Sees of ancient Africa or Rome. Yet so scattered are these twenty Presbyters, that, starting from the city of Austin

where I live and going to the nearest parish, that of San Antonio, it is ninety miles. If I come down from the east in order to get to the nearest parish in that direction, it is ninety miles. If I go north to the nearest parish it is ninety miles. Now these are the parishes branching from her centre. Do you think we need no aid in our direction? The Bishop of the Diocese starts in the fall from his house—no bridges upon the river; and no railroads upon which to travel save a few miles, and he is compelled to go by stage, because it hurries him through day and night and otherwise he cannot get through at all—and he travels for a hundred days and nights before he can rest in the bosom of his family; and I have the record here of his journey from day to day as he travels. If he should travel with his own conveyance he could make but half the circuit in half a year. When he has traveled that one hundred days, day and night, and returns, he has only taken the northern line form the centre of the State. When Spring comes round, he starts for another hundred days' and nights' travels and visits before he can return to his family, this making over four hundred days' work in a year. The last time I saw him he had been riding night and day for weeks; and yet he had to sit down and work in my study during the time of his stay there that he might bring up his correspondence. Were he not a man of iron constitution he could not endure it; and I am not willing to see my Bishop killed.

Do you think our six or seven hundred thousand souls need no shepherd? Do you believe that through all that vast territory we are to be precluded from carrying the Church, because the Bishop can only hurry from point to point where accidentally a Church happens to be upon a stage-route by which he must travel? He cannot stop to say a fatherly word in this and that village, because the stage moves on day and night, and he cannot otherwise keep his appointments. Our ministers are so far apart that we have to fold ourselves within ourselves, and wait for what the Lord and the Convention shall do in permitting the influence to go out beyond our parishes. Yet as I travel over the State—and I have traveled largely in my time—I find there are in every community hearts earnestly yearning for the Church. I can only say to them that perhaps the Convention will give it them some time. What we ask is, that all restrictions be removed. St. Paul never asked whether he should be adequately supported when he crossed the Channel to carry the Gospel to Britain. There are thousands of men who are willing to go with the same spirit as St. Paul. It is the fatherly hand that gathers the children together from day to day. It is this fatherly hand that should be permitted to go leisurely along from town to town and from village to village, and gather the few churchmen that are scattered all over the country, and they would bring in their neighbors; and thus he would drop down parishes like blessings and flowers all over the land wherever he went. But now it is physically impossible that the one Bishop should do this; and Texas is to-day worse off in some respects than she would be in the heart of Africa; for, if she were there, you would send to her missionaries and Bishops. But now that she is a *State*, you adopt such canons as preclude her having either. Where will our people go in such a condition of affairs? It is to Rome, who is dropping her Bishops all over that country. They have great

churches, and great schools, and their women and missionaries. After they shall have gathered in our children and built their houses of worship; after the sects shall have sent their itinerating men all over the country, dropping down their school-ma'ns here and there and gather up all belonging to our fold, you will be ready to act, and the early missionaries of the church will be dead; and you will be sufferers for it. I have had very serious experience in my time. I began to ask that they might simply give me a school that I might gather in the children, and teach them something, that we might have a Church in the future. While we were debating, the Church of Rome came, and they are doing for Rome what ought to have been done for the Church, and you are to blame for it, rather than I. What I ask is, that we shall not be compelled to wait until we have thirty-six parishes and thirty-six clergymen. We have eighteen parishes now: where are we to get the others? We have a noble man, thank God, for our Bishop, but he cannot do the work of a thousand. [The speaker here referred to a memorial from South Carolina and commented upon its reference to Texas, to the effect that upon the Episcopal principles of Asia Minor, in the ancient Church, Texas would have 800 Bishops.] If we were to act upon the principles of the English Church we ought to have 150; and are Texas souls not worthy to be saved as much as those in Asia Minor? Besides the hundreds of thousands of whites, there are 200,000 blacks, subject to the control of any one who will give them the primer and Bible. If you will give me a school, I will take the children, and if I get the children, I have got the generation; and whoever educates the negroes of Texas, has them soul and body, for all future time; and yet I have to stand still and wrap my surplice about me, and wait for you to give us the privilege of acting for ourselves. I ask you to answer the earnest entreaty of our own Bishop, and give us such a right.

Mr. ———. I have the deepest sympathy with our brother from Texas. I am glad to hear such earnest appeals come to us from such parts of the country; but I cannot agree with my reverend brother in the plan which he has proposed to accomplish his object; nor can I agree with the proposition made by the Committee on Canons. I think we have had one of the noblest appeals made to this Church for the increase of our Missionary Bishops. We want the heart of this Church to beat responsive to the needs of the Church there. But we have a system which has been tried, and which has brought forth abundant fruit. Any one who has attended our missionary meetings must have felt moved by the great and noble work going on there. But while we are seeking to push the Church, let us also remember that there is another question. We must be careful that we do not break down the truly conservative element of the Church—the Diocesan Episcopate. Our Church is so arranged that while it maintains its position with firmness and stability, clinging to the oracles of the past, still it opens every avenue to meet the demands of the present and the future. What we want is an increase of our missionary Episcopate. Missionary Bishops are sent forth with the God-



speed of the Church; we feel personally responsible to them; we feel obliged to support them. Suppose the Diocese of Texas to be divided into a number of dioceses, can we be so perfectly sure that the feeling of the Church would go forth with the same directness towards its Bishops who are there selected by what we have every reason to suppose would be regular, established churches, as it would go forth toward our missionary Bishops sent forth by us? I entirely object to any pecuniary restrictions upon which the extension of the Episcopacy shall depend. Let our Bishops go forth and labour, denying themselves.—I also do object to the indefinite division of our existing dioceses and reducing them so much that the Episcopacy shall lose that dignity and universal respect which has made the name of our venerable Fathers, as they come down to us from the early history of this country, names honoured and esteemed by the whole Church.

Rev. Mr. ROGERS: Under this canon as proposed, Texas must remain with one Bishop until she has 36 parishes and 36 presbyters.

Judge OTIS: The gentleman confounds the proposed canon and the proposed amendment to the constitution; we took some restrictions that were in it before and placed them in a canon; but that canon cannot be acted upon until three years from now.

Rev. Mr. ROGERS: I have not misunderstood the gentleman. I understood that what we initiate here is simply to be put in shape for action three years hence. I do not propose a change of the canon. I have proposed my amendment as a substitute, to some extent, of the second clause of the article as proposed by the committee, and because what they propose does not meet the wants of Texas. A gentleman has said we want Missionary Bishops; but according to the proposed canon and constitution we cannot have them. We are inside of a State organization. In order to get what we wish, I would be willing to blot out the State organization to some extent, and to throw it into a territory, to get the needed bishops, but I cannot; whereas in the Indian territory they can elect a bishop, with only six presbyters. I think we should be no worse for being on the south side of the dividing line. Do not compel a State to go without the Church, when you are giving it to the Territories and to the heathen world.

Gov. FISH: The most of what I proposed to say has been anticipated by gentlemen who have had the floor since I first endeavoured to obtain it. There is, however, a consideration which I will endeavour to present, which operated with the Committee on Canons in inducing them to report this amendment. Their attention was drawn to it, as the Convention will remember, by the presentation, in the first instance, of a memorial from Wisconsin, [read by Dr. Adams] and followed up by others, complaining of restriction in the fifth Article of the Constitution against the creation of new dioceses. The question before the House now, I suppose, is that

of the gentleman from Tennessee to strike out; but I would submit to him and the Chair that that is not a proper proposition to adopt. The immediate question before the House was the insertion at the end of the second clause of the fifth Article, of the words "and such consent shall not be given by the General Convention until satisfactory assurances of suitable provision for the support of the Episcopate in the new diocese shall have been given and accepted." There were two questions to be considered. One was the necessity of diocesan Episcopates, the increase of Episcopates, though there was the danger of too great an increase. There was the danger of the creation of an Episcopate where there would be no adequate support, and where possibly in a short time there might be no population to receive the Bishop. Experience in some parts of the country has shown us that parishes may be created to-day and pass away to-morrow. Is it safe for the Church to allow six parishes, created possibly under such circumstances as we have seen every month, and created sometimes for purposes I would rather not refer to—is it safe, I ask, to allow the creation of new dioceses and the election and consecration of new Bishops to be effected thus loosely? We thought not. We believe the Church thought so. We did not believe that this Convention would sanction any such principle of laxity as that.

It was, however, of the utmost importance that the growing dioceses of the West should be relieved from the restriction that the present article of the Constitution put upon them. We wanted to give the Episcopate to a smaller number of parishes, and therefore the word "self-supporting" was stricken out; but if we do away with that provision, and wish to retain some reasonable and safe supervision of the formation of new dioceses, how can that be better done than by giving an Episcopate to any moderate number of parishes where support is guaranteed? The Committee approached that carefully, and we think wisely, in the provision recommending that such consent shall not be given by the General Convention until satisfactory assurances of support of the Episcopate have been given. And in every particular case the Convention will judge how much is necessary. They attempt to fix no standard for the support. What is necessary in one diocese is much more than necessary in another. Can we not trust our successors in the General Convention to give a judgment upon that? Do we believe that all the wisdom, that all the conservatism, that all the love for the growth of the Church, is to be dispersed and abandoned, the moment this Convention rises? I believe that the next Convention will bring the same conservatism and the same love of the Church and the same desire for its progress as ever. It has been asked how otherwise than by an endowment can an adequate support be guaranteed. There are many other modes. I will suggest one which has been in my contemplation for



the beginning, and which we employ constantly in raising funds for missionary purposes. Now what is to prevent the State of Texas, State though she be, from setting apart a new diocese there, and the Missionary Society of this Church assuming the payment of one or more hundred dollars, in order to assure a satisfactory support to the Bishop? And then the Convention in Texas at once creates a diocese and elects a Bishop. There is no necessity for any endowment. You have here a question of organization, of raising and expending money for missionary purposes, and where can they do it better than precisely in that field? In this way you combine missionary effort with diocesan organization. The support for the Episcopate is passed upon by the Convention, and you prevent the creation of too many dioceses; you restrain to some extent the increase of dioceses and Episcopates, but you provide for it wherever it is necessary. That is the object and the whole extent of that limitation in the Constitution. We strike out that number of self-supporting parishes, but to retain some hold we make this provision, which seems to be entirely safe.

Now as to the question raised by the Rev. gentleman from Texas, in words and manner which will not be forgotten when this Convention ceases to hold its sessions. He tells us, and justly, that under the proposed Canon, Texas cannot be divided with her present number of twenty-four to thirty parishes. We have not yet acted upon that limitation of number. But when we come to do so those numbers can be reduced and I premise they will without hesitation be reduced. [Upon the assurance that this would be done, Rev. Mr. Rogers said he would withdraw his amendment.] The Committee have recommended six parishes for the new Diocese to be set off; because the Canon to be amended requires six, we took this number; not because of any attachment to it but for the sake of conformity; and with regard to the number of parishes to be left in the old Diocese, we took the number in the constitutional requirement, not because we had any particular attachment to that number, but because it is there. When that particular Canon comes up for consideration we can make the number suit the Rev. gentleman from Texas and satisfy the Convention. For one I am ready to take any number, but we should hold a certain restraint in this body over the creation of Dioceses. We allow this case of Texas to be provided for and our Missionary society can find no better field than that for the expenditure of its funds; and I undertake to say that the State of Texas, State though she be, under the operation of the Missionary society, and by its co-operation would secure an increase of Diocesan Bishops; and this provision of the Constitution now proposed will enable the Missionary society to furnish the guarantees for the formation of those new Dioceses.

REV. DR. ANDREWS:—I have a resolution which I will submit, and which I think will meet the views of

the delegate from Texas, and also the views of the gentleman from New York (Gov. Fish). But before I read this, I will make some general remarks upon the subject. When I heard the memorials as they came in a few days ago [understood to be the memorials in favor of the Provincial system], followed as it was by the report, I was reminded of the celebrated speech of the great statesman of Kentucky, which I heard thirty years ago, the opening sentence of which is so well remembered to this day. Nor do I consider it as comparing small things with great, when I say that the condition of the Church at this time is similar to what he conceived to be the condition of the Republic *then*. And if ever I coveted that effective capacity for debate which Providence has denied me, it was when I heard the report on the Provincial system just read. As we are constantly referred to the example of antiquity for this indefinite diminution of Dioceses, I beg to make a re-statement of the facts so far as they bear upon the question before us. Dioceses anciently corresponded to civil divisions of the State: but under the emperors, thirteen of them embraced the whole Roman world, with a population of one hundred and sixty millions. When the Church came into the field, where she came with Divine authority, it is to be observed that the Dioceses conformed to civil divisions. The sees were large and as compared with the system now proposed, *very* large; but this scheme of conformity to civil divisions continued until every city which had a civil magistrate and a local senate demanded a Bishop; and hence it was that the sees were of various sizes, depending upon the extent of the jurisdiction of the civil magistrate. Hence we are told that the sees of Carthage contained five hundred clergy, while the sees about Rome scarcely contained a dozen; so that we have examples in antiquity of all kinds—for large dioceses as well as small. But there can be no question that the division went on until it furnished the most plausible objection against Episcopacy itself. *See* and *parish* are claimed by Presbyterians to have been the same thing. By the close of the fourth century we find a catalogue of nearly two thousand sees. The Episcopacy of the apostolic age had been changed. The sees were reduced to such insignificance that some remedy was demanded; and the sees were consolidated and put under the supervision of metropolitans. These metropolitans were one hundred and twenty, and over these were placed subsequently, the Bishops of the principal cities of civil Dioceses in which such provinces were contained, under the name of patriarchs, so the civil Dioceses and provinces became ecclesiastical Dioceses and provinces. After all this it was deemed expedient—for the power grew by degrees—in the seventh century to place the Bishop in the principal city of the empire; and he reigned there as the Caesar of the Church. In this process the first step was the reduction of Dioceses, and by degrees there came to be a consolidation of power which deprived the people of the last vestige of liberty with

which God had endowed them, instituting a system under which the individual was nothing and the State everything—in which everything was borne down by the all-crushing, remorseless State. Such, sir, in its bearings upon this question, are the real teachings of antiquity. We are left to exercise discriminating judgment upon the past and common sense as to the present. A Diocese may be too large or too small. We have a minimum and we have a maximum in the constitutional provision that the Bishop shall be required to visit every Parish once in three years. The Diocese of Pennsylvania, now claiming another division, has but one hundred and fifty parishes, and Maryland, which we have just divided, had, all-told, but ninety rectors. Take the maximum to be one hundred and fifty, and the minimum to be fifteen and the average would be about eighty; which would allow the Bishops to visit every parish every year, to stay two days in each, to have seventy-five days for travel, and four months for rest and study; and surely no Bishop wants more than that for rest and study; and surely no parish requires more protracted and frequent visits than this, and as for any official purposes it is twice as much as they require; and as to those more protracted visitations, the fond notions that so many seem to entertain on this subject have never been realized and never will be.

No theory was ever so thoroughly exploded, and yet none was ever so persistently entertained. As to the philosophy, what is it that gives such superior influence to Episcopal presence and counsel? Is it the superior talents of the Bishop? Not necessarily. Is it his superior piety? Not necessarily. Is it the conviction on the part of the people that he acts under Divine authority? So does the Presbyter. No, Sir, never. It is the jurisdiction. It is the office, and the influence of that office will be in proportion to the singularity of its functions and to the size and importance of territory over which it extends. Suppose the Bishop visits each parish every month or every three months. He will only divide his power with the rector and we shall have gained nothing. This is a power which ought not to be trifled with. But it is trifled with by the proposed canon; nay, it is destroyed. It has already been remarked that we are Presbyterianizing the Church, and reducing the Episcopate to the office of moderator, and yet I sympathize with those who desire this multiplication of Bishops. I do not believe that ambition has a great deal to do with it. It may affect some minds among the clergy, but not many; as to the laity, they desire nothing but to build up the Church. As to the facts of the theory, the experiment has been made too often and with too marked effects to be doubted. The facts are as much against the theory as philosophy. Look at Kansas, which reported one hundred and seventy-one communicants at the last General Convention. Look at Delaware, with a good and able man as Bishop for twenty years. Yet she reported fewer parishes in 1865

than in 1863, some sixteen or eighteen in all. I do not believe that any one parish in that Diocese has grown beyond what it would have grown had it continued a constituent Diocese of Pennsylvania. Look at Florida. It has had a Bishop for many years and they now report in Florida three rectors. So in Arkansas, where they have had a Bishop so many years, we have one rector (and he is the Bishop and reported as officiating). As to the cases which have been cited of these new missionary Bishops, I think some provision should be made for cases where population is mainly confined to the lines of great railroads, and where towns spring up, almost in a night. There ought, no doubt, to be Bishops there. But what are the facts with regard to these old dioceses? Is it possible for any man, if he will open his eyes, to fail to see the facts of the case as they now stand? If you inquire whether a Bishop's missionary labors or influence as Rector of a parish will be enlarged, the facts warrant no such conclusion. We have Bishops as Rectors of parishes: are they found to grow more rapidly than others? Nobody ought to expect it. So likewise in towns where the Bishop resides, is the Church found growing more rapidly than in other places? It does not, and it is not reasonable to expect it. It is a nice thing to talk of a Bishop coming into a parish every few weeks and inquiring of the minister about the vestry, and of the vestry about the minister, and of both about the people, and of the people about both. A Bishop might perform one such visitation but never a second. It is said in this pamphlet [reads as to the "paternal influence of a Bishop," his being the "father of his Diocese," "living and moving daily among his people"]. I would ask the Chairman do you profess to have such a supervision as that over your parish, or have the pastors of great churches in this city? They do not and they cannot. I confess for one I do not desire it of the Bishop. I never heard of its being attempted but once. That was not in a small parish but in a large one and met with no encouragement; but it was thought a wonderful thing that the Bishop was coming to make the personal acquaintance of every one in the parish. It was attempted; after the service all came up to be introduced—not only colonels, majors, and Esquires, but especially the poor Uncle Jack and Aunt Susan; (I give the names) and *these* were taken by the hand and shaken cordially. But afterward the people began to ask themselves how much there was of reality in all this; not a natural sentiment was expressed on either side; and it is sufficient to say that afterward these things were left to regulate themselves. So as to the clergy—they came to shrink from such an inspection, and I confess for one I do not desire such an inspection. I do not believe there is one who does, however he may draw these pictures in pamphlets. This domiciliary inspection was looked forward to as a visitation in more senses than one (laughter). But it is said that the Bishop ought to render some service to the minister more than his professional duties, but how?



The Rector ought always to be master of the situation. Ordinarily he is so; but if he is not it is seldom in the power of the Bishop to make him so. The idea of a Bishop in this age is not realized under the idea of a father among his children, but as that of a man among men. He operates by character as well as by office—by his reputation for sincerity and for piety—and by reputation for wisdom, enterprise and success. A diocese should never be so large but that a Bishop may exercise these qualities in behalf of the parish where he may chance to be. And where he finds the rector has peculiar difficulties to contend with he uses the whole weight of his character official and personal to hold up the rector's hands. [Reads from the pamphlet]. But, alas, Sir, I cannot but notice the signs of the times; and if I do not misinterpret them, the Bishops are all to be supported with ample funds. I fear we shall have Bishops in foreign parts, Bishops by the seaside, Bishops among the mountains, Bishops here in New York. And if not supported, there is a great probability that we shall have a multitude of Bishops without Episcopal occupations, without the means of subsistence, and without respect in so much that a wealthy lay friend would take the opposite side of the street.

One word as to the drift of the resolutions. I am satisfied it is not fully perceived. What is it? First, small dioceses. I was astonished when I heard the principle admitted—they are not so large as Scottish classes. What was at first hinted is now completely announced—Metropolitans; the dioceses in a State gathered into one government and with a Metropolitan, under which system the Bishop of Philadelphia would be a greater man than now, and the Bishop of Pittsburg a much less one. This is the first stage of the Provincial system of which we have heard so much and know so little. Then we may be absolutely sure of the second and third instalments asked for in the report. We shall have, not the primate pictured in that report, but a very different one. We have been told that with this system we shall be able to have our own way; but we shall find the little finger of the primate thicker than the local Bishop's loins. It is well that we know this, and that we can look before we take this enormous leap, which will be a leap in the dark for the majority of the Church. It is said that this system did not advance in the last General Convention as much as was expected. Others said that it was no more than we had expected, because the Church had not been educated up to this thing. Sir, I am jealous of the being educated up to any system that is not declared in all its parts at the beginning. We have men educated in various ways up to believing that to be lawful which they once thought to be unlawful, and believing that right which once the Gospel and every moral sentiment told them was wrong. The system is recommended as preventing the necessity of assistant-Bishops, but the more you multiply the Bishops the more you increase the liability, unless you provide that the Bishops shall die suddenly,

without previous infirmity or decay. The resolution I propose is this: as a substitute, I move that the whole matter be recommitted with a resolution providing for increased Episcopal service in the Diocese of Texas.

MR. FAIRBANKS:—The proposition is out of order, my motion being to strike out.

The PRESIDENT decided the motion to recommit to be in order.

MR. ———:—I do not see how the resolution can be a substitute for the proposition under consideration. The substitute is in regard to the election of Bishops, a wholly different subject, and is provided for in another article of the Constitution. It cannot be admitted as a substitute.

The PRESIDENT:—I suppose the motion to recommit is in order, but without the instruction. [To the Committee.]

MR. GEORGE A. GORDON, of Alabama:—The debate upon the report of the Committee on Canons has taken so wide a range this morning that it is with difficulty that I can catch precisely the points at issue before the House, and yet, the main proposition discussed is one of such deep interest to me that whether they were strictly germane to the particular point at issue or not, I was very glad to listen to the arguments, upon one side or the other; and I desire, upon that point, also, to be heard in a few remarks. If I know myself, I certainly would not engage in any project which would look like revolution. Like the learned gentleman who last took his seat, I am afraid of revolution. I have been taught to be afraid of revolution. I never have been in favor of it in the Church, but in neither Church nor State am I ever again in favor of revolution. In all matters of the Church I shall shrink from anything approaching a difference from the established order or law in the Church. But I deny the proposition, with all deference to the learned Deputy from Virginia, that a return to apostolic order is revolution. They are two distinct propositions: one is subversion, and the other is a return to order. And is it too much for us to say that there have been errors in the American Church? Is that the only Church organization in the world that has been free from error? It has comparatively a new constitution; there have been, from time to time, new constitutions framed; new branches of the constitution have been placed in the old one, and new canons enacted. We certainly have not reached perfection to-day. Therefore, if, by the enlightened wisdom of experience, study and increase of knowledge, we are enabled to arrive at the fact that by a return to first principles we are bringing back the Church to apostolic usage, call it not *revolution*, but a return to order. I think there can be no one in this House who listened to the stirring tones of the Deputy from Texas but was impressed with the vital necessity for aid in that direction. There is no doubt about the fact that assistance ought to be accorded to the Church in Texas. I am satisfied that no one who has listened to the report of the action of the Bishop in



Nebraska was not satisfied that the action taken by the last General Convention in sending forth a Bishop into that vast field has been one of the main causes in producing the glorious results reported. There can be no doubt, then, that some remedy is needed for a deficiency which confessedly exists. Whether the remedy reported by the Committee on Canons is adequate or not, some remedy is necessary.

The Church has a responsibility upon it; and she cannot shrink from it; it must be assumed; and that we shall be called upon to answer before God for the responsibility resting upon us this day, I firmly believe. Now, it is not revolution to say what I have said, that, though called revolution, I am in favor of multiplication of Episcopates. I am not afraid of the various objections which have been stated by the distinguished gentlemen who have spoken on the other side. The learned deputy from Virginia, who gave us a very interesting history of the early Church, forgot to call the attention of this Convention to the different set of circumstances then and now. One of the strongest points urged by him, after having stated succinctly and beautifully the history of the early church, was, that there were, at one time, two thousand Bishops in the Church—a larger number than now exists in the Episcopate anywhere. And that was urged as a reason why we should not bring the Episcopate into disrepute by increasing the number of Bishops. He said one of the strongest arguments used against Episcopacy by the Presbyterians and Methodists, was, that at the end of the fourth century there were two thousand Bishops in the Church. That was one of the arguments to prove that we ought not to have two thousand Bishops now. That was an argument to prove that Methodists and Presbyterians might successfully attack us at that juncture. [Rev. Dr. Andrews:—I said it furnished a *plausible* argument.] I know the gentleman did not intend himself to use the argument. I understood him that it was only a plausible argument used by Presbyterians and Methodists. I do not care what Presbyterians and Methodists say, I am not in the habit of consulting them, or being moved by their opinions. Let me call the attention of the Convention to this fact. At the close of the Fourth century, whether the church was corrupt or not, it was *one*. At the present time, the body of Christ is rent into a thousand forms. Now suppose that all the Presbyterians in the United States of America and all the Methodists, and all the Baptists, and all the multiform sects in the United States were in the Church, would the present number of Bishops suffice? Would it be sufficient to have the number of Bishops we have now, if hundreds of thousands of communicants were added to the church? That shows the distinction between the illustration he drew and the present time of the Church. Then the Church was united; now it is divided; and the only reason why we have not two thousand Bishops in the Church of God to-day is because of schism and sectarianism.

Now the learned deputy from Virginia, in tones of great eloquence declared that we, who desire the system, defeat our own ends by the fact that we would take away from the dignity of the Episcopate all that with which it is now invested. Mr. President, I do not know that there is a member upon this floor who has for the Episcopal office and for those who illustrate that office in our church a higher degree of respect than I have. But, sir, I do not look upon the Bishop of the Church of God as simply a Great Mogul set up to be worshipped. I do not look upon that office as simply a sinecure, as simply something that is shrouded and concealed for 364 days in the year to be brought forth upon the 365th for an exhibition before the people. I do not want to have any such veneration for the office or for the man; nor do I think they are sound churchmen who desire it. I want the Episcopate to be a working Episcopate. I want the Bishops to be working Bishops. I want them to go into parishes, and it will be all the better if they have a talk with "Uncle Jack" and "Aunt Susan" even more than they did when they visited the deputy from Virginia, whose experience and mine are sadly at variance. [Dr. Andrews:—It was not in Virginia.] It varies from my experience much. We long, in the parish from which I come, for the presence of our Bishop; and we desire that his personal influence should be exercised over the Uncle Jacks and the Aunt Susans. I know that, when the Bishop comes, his main office is for confirmation, that which cannot be done by any one save himself; yet whoever thinks that the Bishop ends his duties by confirmation mistakes, in my humble judgment the purpose of the Episcopate. Is that the Episcopate that St. Peter undertook? Is that the Episcopate set before us by any of the first Bishops of the Church? No, sir, it was not merely to place Episcopal hands upon the humble penitent who came to ratify his baptismal vows; it is not only to transmit the Episcopal ministry. Those are unquestionably the distinguishing features of his office. He is a minister of the living God. He has by virtue of the high position which he holds more power to do good than the parish priest alone; and he may come and hold up the hands of the parish priest who for years has been standing alone, perhaps, amid misrepresentation, and he may not only help him, but absolutely, if it be necessary, confirm the faith of Uncle Jack and Aunt Susan.

We have heard from the gentleman from Texas concerning the herculean labor that has been performed by the Bishop of that Diocese, and it does not need any amplification from me to show that it is impossible for human nature to endure that much longer. But let me call the attention of this Convention to the power for good that the Bishop can exercise by bringing together parishes, and enabling them to touch hands in the communion of the saints. The deputy from Virginia has alluded to the little good that has resulted from the multiplication of Bishops, and has pointed to Arkansas,

and has stated that in that Diocese there is but one parish, and that has as its rector the Bishop of the Diocese. I would state that Arkansas is not a Diocese, but a missionary station, and the Bishop who is in Arkansas is the missionary Bishop of the south-west, Bishop Lee. But even if it were a Diocese, he (as well as I), knows so well the ravages of an unhappy war not only upon individuals but upon churches, that there can be no argument based upon our destitution to-day. We are unable to do more than offer up our prayers. There can be no argument based upon the condition of Texas. When that Diocese was admitted, it was a self-supporting Diocese, but in the Providence of God, during the progress of the war, it has been stripped of its wealth; the men who supported it are dead; their wealth is gone; their churches are burned. Now, to bring that as an argument to show that the increase of the Episcopacy has been a failure, I do not think is a sequitur. Give us three years more with the ministrations of the man who is Bishop of the South-west, and by the blessing of God, there will be a different report from that made to-day. There is encouragement in the field of Arkansas, but to ask for self-supporting parishes in many parts of the South and South-west, is to ask more than, in the Providence of God, it is possible for the Church to do. [Dr. Wheat—there were 20 parishes in Arkansas before the war]; and there was but one at the expiration of the war.

To resume the main point,—as I said before, I do not apprehend that in this step there is the slightest tincture of revolution. In the remarks which I had the honor to make the other day upon the question of a change of the word convention to council, I heard myself reported afterward as having made a State-rights' speech, when no one who followed my argument, if I was enabled to express it with any sort of facility, could have inferred that I desired to do anything less than to blot out from our legislation any word that should be connected with State organization. But, sir, to-day, upon this question, I go a step further against the position to which I was assigned the other day as making a State-rights' speech. It has been always the belief of my heart, the conviction of my judgment, that we should blot out all connection with the territorial limits; and that was one of the ideas I desired to express the other day, and that is one reason why I desire to see the increase of Episcopacy. I do not want the Church of New York to be coterminous with the territorial limits of New York, nor do I wish the Church of Alabama to be coterminous with the territorial limits of the State of Alabama, but, following the pattern of the primitive Church of God, I wish dioceses to be created and erected just exactly as the wants of the people require, whether comprising States, cities or counties.

I would have Bishops in every place where there is a necessity for Episcopal supervision. [A Deputy :—One Bishop to the city of New York?] I would be

perfectly willing. The city of New York has a much larger field of labor than is worked by the Bishops of the South and the Southwest. I therefore say, without entering specifically into the question of the size of the diocese, that we should give a Bishop with the Church wherever the Church is planted; that whenever we advance beyond the confines of present civilization, or beyond the confines of the States or territories, we should plant with the Cross a Bishop, and give every means of grace that God has provided by the which we can carry forward the standard of the Cross; and I do believe that in that way alone shall we be able to carry out the great work which this branch of the Church Catholic has undertaken to perform. The signs of the times plainly show that this Church is to be the point of central unity. I therefore desire that there should always be Bishops to be able to confirm and ordain; and in that way the Church of God, going on as a unit, irrespective of territorial limits or territorial subdivisions, may be able to live, as it unquestionably will live, beyond revolutions of any character.

I do not pretend to be wise enough to peer into the future, which is left to the great God who rules the Church, but throwing it out for what it is worth, I had ventured the assertion that we never shall be able to overcome the hosts of sectarians around us until we do it with a three-fold ministry meeting face to face. It is not simply by the efforts of the Presbyters, whose efforts in their sphere I respect highly, nor by the efforts of the layman in his sphere, though he can do a great deal. If the ministry has been Divinely constituted, the Church should have the benefit of its machinery from the lowest point to the Bishops. With this machinery I believe that sectarianism will dwindle and be forced to come into the Church. The gentleman from Texas has told you what has been done by the Church of Rome and sectarians around him; and he has given it as the result of his experience and his deliberate judgment that if there were an increase of the Episcopate—he did not lay stress upon assistance of other sorts but upon giving the Bishops—with the Bishops would come the means and all the appliances for evangelizing that portion of the country. I agree with him with all my heart; I have thought prayerfully upon the subject, and it has been dear to my heart for many years. In the Convention of 1859, I had the honor to state, in part, some of the reasons which now agitate my mind. I most heartily give my consent to anything which shall increase our ministry.

REV. DR. PADDOCK, of Michigan :—Mr. President, sometime ago I desired to say something on the subject before the House; I presume I have forgotten nearly all of it; but I think there is something that ought to be said yet. The very course which the debate is taking this morning has satisfied me more than ever of the propriety of the action of the Committee on Canons; and if it had not happened by some accident or other, unex-



plained to me, that I am a member of that Committee on Canons, I should have been bold to compliment the exceeding wisdom of that committee. We have seen it demonstrated in this House that there are certainly two classes of opinions prevailing as to this exceedingly important matter of the creation of new dioceses within the limits of old ones; and we say without being too minute, there is one large class of men representing some of the most earnest, devout, and hard-working men of this Church, who are thoroughly persuaded that dioceses ought to be brought down to the smallest possible limits. And we have here a theory which, while some gentleman was speaking, I called in my own mind nothing but a sort of microscopic theory, by which a Bishop could never do his work unless he was so well acquainted with every man, woman, and child of his diocese that he absolutely knew the domestic arrangements of its families. And then we have another theory to which I do not any more subscribe than to the other, and that I would call a sort of telescopic theory—that the Bishop is one whose only use is to be seen afar off, and when he visits his diocese, his greatest care must be that he do not stay too long nor come too often. And I confess, if not indecorous to state it, that while one gentleman was speaking of the horrors that would overspread the entire Church in this land, the Divine visitations which would be realized by the Church, if the Bishops came too often, I could not help recalling that line which made me think that the only fit description of a Bishop was that which I have heard given to something else which was said to be—

"A monster of so horrid mien  
That to be hated needs only to be seen."

I believe we cannot come down to this theory. It is an awful coming down of the work of a Bishop of the Church of God. There are two distinct classes that vote in this House; the one inclining to almost indefinite multiplication of Bishops, the other strongly inclined to throw every possible hindrance in the way of their multiplication. It seems to me that the wisdom of the committee is apparent now. The committee remember that there has been from the beginning in this Church, caution in the direction of too rapid multiplication of Bishops. They remember how slowly the minds of the Church had progressed towards what I believed to be the truth, namely, we must have more Bishops than we have, before we can do the work that Christ has laid upon His Church in this land. But the question now is, do you accept of the amendment instructing the Committee on Canons to go back to their rooms and bring in a report which would leap over with one single stride all the conservatism of the Church in this matter, for the entire period of its history, and plant us on the ground simply of an illimitable number of Bishops? Are you prepared to have no restraint at all upon the multiplication of Bishops? Are you prepared to be moved by the fact that because there was no support requir-

ed for the Apostle Paul, that therefore no support need be pledged for the support of any Bishop, not even a missionary Bishop? Are you prepared to say that it was not the wisdom of the Apostle to become all things to all men to win some to Christ? Is it not the wisdom of the Church to adapt itself to the change of circumstances? Some men seem really to imagine that they are living back again in those glorious times of Saint Paul. I do not suppose that any gentleman expecting to vote seriously upon this matter will dare to stake his reputation for sound judgment upon the fact that were Saint Paul and other Apostles, or the old Bishops in the Roman Empire among us to-day, they would necessarily adopt bodily, all the features of their system of Church organization, and transplant them into the nineteenth century. Their system was a wise system, because wonderfully adapted to the condition of the world at that time. Our system may be wise now by being equally well adapted to the present state of things.

If you allow the committee to adopt the plan of the deputy from Texas, you will be led into a sort of special legislation. I beg gentlemen to remember that the case presented by the deputy from Texas, is the strongest instance that can be presented by any gentleman. He has taken the largest diocese and has almost persuaded the House by his eloquence, that it is a fair specimen of all our vast territories. No other instance can be given that will compare with that; and as for that instance, the learned deputy from New York has shown that there is ample relief by putting part of it under the care of a Diocesan Bishop supported by the missionary fund. I hope we shall not be persuaded by this one instance to actually pass from our condition of conservatism in this matter right over into the extreme license in this matter. It will be observed that the report of the Committee on Canons makes a great advance. Remember that the canon is not in any possible sense before this House. The canon can not be acted upon now, for the reason that if passed now it would stand in the face and teeth of the constitution. Therefore we have nothing to do with the canon so far as action is concerned. We merely ask you to vote upon this one limitation, namely, before a new diocese shall be formed out of a diocese, the new diocese shall have some provision made for the suitable support of the Bishop. In some way, there should be some limitations to indefinite expansion.

Mr. FAIRBANKS, of Tennessee—said that while the committee strike out certain restrictions, they impose a heavier burden on the dioceses which require division most. It would be jumping from the frying-pan into the fire. The pecuniary restriction would to some, justify the proverb that is sometimes applied to this Church, that it is the Church of the wealthy, whereas it is the Church of the living God. The restriction violates the purpose of the memorialists from those States wanting an increased Episcopate; it would be burdensome to the



impoverished dioceses of the South. If a missionary Bishop should be interpolated into an ordinary diocese, who would support him? Tennessee was naturally divisible into three parts, for each of which a Bishop should be provided. That was the unanimous voice of the Church in Tennessee. They were there looking at the interest of the Church, and other dioceses came up to the Convention with similar feelings, and all praying that these restrictions should be removed so that every diocese may have its wishes gratified. He hoped, that it would be the sense of the House that the restrictions shall be removed, and that the little ones taken away would not be the cause of imposing heavier ones. He hoped that the support of the Episcopate from without, would not meet with approval, for the Bishop so supported would be apt to feel himself the servant of those who furnished the money.

Rev. Dr. MEAD:—I wish to say a few words upon this subject. It is a maxim, and a very good one, and I wish the brother who just sat down would hear it, that when we can not get all we want, it is most prudent to get all we can. If you were to take out this proviso which is now proposed, my word for it, you would get the proposition back with the dissent of the House of Bishops. The House of Bishops originally put in these large restrictions, and we have gradually worked them down. Let me call attention to one fact. It appears to me that gentlemen have forgotten that this is a proposed amendment to the constitution that does not operate upon a diocese after it has become an acknowledged diocese. I have heard gentlemen say, Are we to have a General Convention sitting in judgment upon our Bishop's salary? It has nothing to do with that. It is simply the question of the admission of new dioceses, and the circumstances of their formation. The Bishop of the old diocese must give his consent, and the members of the Convention must be satisfied that the new diocese will give sufficient support to the Bishop if they are set apart and acknowledged. The statement of the deputies from the old diocese and of the Bishop, who is a member of the House of Bishops, will be all that is necessary to satisfy this Convention. We do not want them to say that the diocese shall give two, three, or four thousand dollars a year. No; we only want to be satisfied that the Bishop will receive an adequate support, according to the condition of the diocese, so that he may live as his people do. Why should any one wish to imperil this amendment by striking out that provision? If you don't take this amendment to the constitution as it is, I believe you will get none. You have this constitution still existing which requires fifteen parishes and fifteen settled clergymen in the new diocese, and to leave thirty parishes and thirty clergymen in the old diocese. In conclusion, I should say that I am friendly to the division of dioceses to any reasonable extent. I have even felt the importance of striking out this clause of the 5th Article of the Constitution; but I am sufficiently a man of policy,

that if I can't get every thing, I want to take what I can, and be thankful for the smallest favors.

G. C. SHATTUCK, M. D., of Massachusetts:—I have a few words to say on this money question. I wish simply to relate the experience of my own diocese with regard to this question, and show why I think it an important provision. I certainly should not vote for this resolution if that provision were stricken out; and at the same time I am in favor of the extension of the Episcopate. Still I agree with the deputy from Virginia that there is danger at this period of going too widely into this matter. I regard this money provision as secured in the liberality of the laity of this Church, if we put this money provision in. We have had a Bishop in Massachusetts for many years who was universally respected and universally beloved, and who was poor beside, and we kept him so. Every now and then persons would go and see his condition, and they would send him something. There was still something for us to do; it is not the position for the laity to put a Bishop into. It is the wisdom of the English Church to see that the Bishop has some provision for his support, and they do not have any Bishop made until he is personally independent of every body. We had a Bishop provided for as rector of a church. Finally, we needed more of his services, and he wished to give himself more to the Episcopate, and then the question came up before the laity, Shall we keep him on faith? Our Bishop had exhibited great self denial. For the first ten or twelve years he gave all his salary to support missionary work. Then reverses came, and he could not live without support; and all those to whom the matter was referred were unanimous that he was entitled to an independent support from the diocese. We set out to get it. One committee tried to raise it, and resigned without accomplishing it; and then another committee which failed to raise the requisite amount, and asked to be discharged; and so several committees were appointed. I had the honor to be chairman of the last committee, and it took us five years of hard begging before we could get up the amount necessary to a bare support. I should be ashamed to report some of the answers to our appeals. People looked upon the Bishop as their servant, and they found all sorts of fault; and the conclusion in my mind was that I would not expose any Bishop to that ordeal again, and that I would always advocate as a very important thing, that before a Bishop is sent out he should be provided for.

The Convention then adjourned to 10 o'clock to-morrow.

#### NINTH DAY'S PROCEEDINGS.

FRIDAY, Oct. 16th, 1868.

The Convention met pursuant to adjournment.

Morning Prayer was said by the Revs. Dr. Parker of Massachusetts, and Scott of Florida.

The Benediction was pronounced by the Bishop of Connecticut.

The Journal of yesterday's proceedings was read and approved.

HON. S. B. RUGGLES:—I desire to offer a resolution proposing an amendment to the constitution by reducing the number of Deputies in this House, and I move that the proposed amendment may be taken up and considered in connection with the present proposition [for the admission of new dioceses] which will greatly enlarge the number of dioceses. The one amendment will necessitate the other. The resolution is as follows:

Resolved, The House of Bishops concurring, that the alteration of the constitution recommended by the succeeding resolution be made known to the several Diocesan Conventions; and further resolved, That Article 2 of the Constitution be amended as follows: by striking out of said Article the words "four clergymen and four laymen," and inserting in lieu thereof the words "three clergymen and three laymen," and by adding to the said Article the following words: "whenever the dioceses admitted into union with the General Convention shall exceed fifty in number, the representation from each shall be reduced to two clergymen and to two laymen."

The importance of considering this proposition in connection with the one to increase the number of dioceses will be readily perceived. The number of this House is 8 times 35 that is 280. Including Nebraska we have 35 dioceses in union; and the four dioceses that have been brought in beside, by our recent action, will add 32 more, making 312 as the number of this House. In the next three years, if the proposed alteration of the canon shall pass facilitating the introduction of new dioceses, we may expect a large accession of dioceses. If the enthusiastic hopes are at all realized, the old dioceses will burst into blossoms of dioceses for good or ill. But apart from such glowing hopes we see a certain amount of reality. There will probably be one from Pennsylvania, one from Connecticut, and one or two from Wisconsin. That is the smallest increase in the next convention, which will add 32 more members, making the number 344. Now I ask can we go on in that way much longer? Have we not reached the point where we can go no farther? If we augment the number of our dioceses, we must diminish the number of Deputies *pro tanto*.

In the first place three will be better than four as giving a majority which will control the vote.

It is so in our representation in parishes and should be so here. When the dioceses become 50 we shall have 400 delegates; but, by that change, I propose that the number be reduced to four from each diocese, that is two clergy and two laymen; and the House be brought back to a manageable body of 200. As we go along down the stream of time we shall come down to 100 dioceses—and I do not want to look farther. Then it will have to be reduced to one clergyman and one layman, and that is the minimum; we cannot represent the clergy and the laity short of that. When we get 100 dioceses we shall have two representatives from each, making a House of 200—a manageable House.

The representation of this question will bring about a test vote. It is perfectly certain that if you do not reduce the number of Deputies you will be forced into the Provincial system, and therefore I commend it to the careful consideration of the House.

On motion of Mr. Ruggles, his motion was laid upon the table to be considered in connection with the other proposition.

REV. DR. J. S. B. HODGES—offered the following amendments and additions to Canon II., Title 1:

In section 1, after the word "producing," in the second line, strike out the words "the evidence of his being a minister thereof," and add at the end of the section the words "the evidence of his being a minister of the Church, or of some Church in communion therewith."

In section 2, after the word "minister," in the fourth line, introduce the words "of the Church, or of some Church in communion therewith."

And add the following new section:

Section 3. No minister of this Church, settled over any parish or congregation, or in temporary charge thereof, shall invite or permit any person not having had Episcopal ordination to officiate with him or in his place or stand on any occasion of public worship in the church or congregation over which he is so settled or in charge.

Sec. 4. No minister shall invite or permit to officiate as aforesaid any minister ordained by a Bishop not in communion with this Church, unless such person shall have been received as a minister of this Church under Canon IX. of Title I.

A motion to table the resolution was lost; it was then referred to the Committee on Canons.

A motion to take a recess of one hour and to adjourn at four o'clock was lost.

MR. AMBROSE TODD, of the Diocese of Kansas—offered the following resolution:

Resolved, That it be referred to the Committee on the Prayer Book to consider the expediency of erasing from the commission given by the Bishop to the presbyter in the prayer following the Ordering of Priests, the words "Whose sins thou dost forgive they are forgiven, and whose sins thou dost retain they are retained."

MR. ————moved to lay the resolution on the table.

REV. DR. ADAMS:—I move that the gentleman have leave to withdraw his resolution inasmuch as I think no clergyman has a right to make such a petition. I do not want that resolution to appear upon the records of the House.

MR. TODD—wished to make an explanation; but as the motion to table precluded any remarks, and as consent of the House was not given he said he would not withdraw his resolution as he could not do so without the opportunity to explain.

On motion the resolution was tabled.

REV. DR. ADAMS—offered the following resolution:

Resolved, The House of Bishops concurring, that the phrase "I resigning Bishop," in Canon 9, section 3, line 3, Title II., be referred to a joint committee, to sit during



the recess between this and the next General Convention, to report as to the meaning of that phrase. Whether it simply means the presiding Bishop of the House of Bishops, or whether it means that which stands upon its face. And if it be a Presiding Bishop in the sense of a *Primus*, Metropolitan, or Patriarch, that this committee report a canon defining his powers, and bring the present phraseology of the Constitution and Canon into harmony with itself, and prescribe the mode of his election.

It will be seen that this resolution is one which simply inquires into the meaning of a certain phrase—"Presiding Bishop of this Church"—that that phrase occurs in one of our canons—that that phrase seems to say and does say that we have a "presiding Bishop of this Church." I wish to understand whether there is a presiding Bishop of this Church or whether the doctrine which I was taught in my course that there is no presiding Bishop of the Church, but that there is a presiding Bishop of the House of Bishops, be correct. I was taught that there was no presiding Bishop of the Church. A member of the Committee on Canons, in fact two or three of them, will state that this was their instruction also. I will state also another fact, that this phrase "presiding Bishop of this Church" occurs simply in one canon, that is to say Canon 9; and that canon was passed in 1856. I cannot ascertain the fact, but it is my impression that that phrase "presiding Bishop" was introduced into that canon in 1855. That canon refers back to canons of 1841-44. I have gone over those canons very carefully and the phrase "presiding Bishop of this Church" does not occur in them. In the first, 1841, the phrase "presiding Bishop" occurs three or four times. In the second canon it occurs four or five times; but the phrase "presiding Bishop of this Church" does not occur in this canon. When that phrase "presiding Bishop of this Church" was introduced, I do not know, but I suppose it was introduced in 1855-6. I should like any gentleman of this House to show me the phrase "presiding Bishop of this Church" antecedent to that canon of 1856. I am not a member of the Committee on Canons, but I know that the Committee on Canons embraces upon all points of canonical knowledge the greatest amount of information and science that can be had. I should like that committee to tell me whether the term "presiding Bishop of this Church" was put into the Constitution or into canons before that time; because if it was not we have in that canon of 1856 an instance of a sort of legislation that is very common in political bodies, but is not very common in our Religious bodies—that is to say, the introducing of a new idea by a side-wind. We have been taught previously that there was no presiding Bishop of this Church, but by introducing a phrase incidentally, we have a presiding Bishop of this Church; and taking the constitution interpreted by this phrase, I cannot see how you will avoid acknowledging that upon the sense of the canons literally as interpreted there must be a presiding Bishop; that is to say, we have a primate, metropolitan, or pa-

triarch, canonically. Now my opinion in reference to this matter is simply that there has been a mistake—that this phrase was not wanted simply to express what was there before, and that therefore it was perfectly lawful for me to bring forward that resolution concerning the meaning of this phrase. [Judge Otis: It is in article 10] It is "presiding Bishop of the Church" that is not in the constitution. I venture to say that there is not a lawyer in this House who will interpret on the plain literal sense of the words presiding Bishop, using this canon, that must not say that we have a presiding Bishop of this Church. I have looked over all places in which the words occur; and I have to say that the phrase "presiding Bishop" simply occurs without anything attached to it in 16 or 18 places in the constitution and canons. The "presiding Bishop of the House of Bishops" occurs in three places, and the presiding or senior Bishop, taking the one as the alternate of the other, occurs in three places more. I will say further that I have no objection whatsoever to this Church having, if it chooses, a presiding Bishop, giving him the powers of a presiding Bishop, and leaving him to act by the authority thereof; but if it has to be done I want it to be done clearly, distinctly, by the vote of the Church. I do not want a change so great as this to be introduced by a side-wind—to be introduced by altering a phrase quietly in 1856, or at any other time. I want, if we are to have a presiding Bishop, to have him according to our constitution and canons, with his powers defined strictly, and the thing understood.

Mr. FARNSWORTH's motion to lay on the table was lost; Ayes 87, Nays 115.

Gov. FISH—moved as a substitute (adopted) the following resolution:

Resolved, That the Committee on Canons be directed to inquire into the expediency of striking out the words "of this Church," after the words "Presiding Bishop" in section 3, Canon 9, Title II.

Rev. Dr. LITTLEJOHN—reported, from the Domestic and Foreign Missionary Committee the following (adopted) resolution.

Resolved, The House of Bishops concurring, that in Article 3d of the Constitution of the Board of Missions, for the words "four in number from each diocese in union with the Convention," there be substituted the following words, "at least equal in number to four times the number of dioceses in union with the General Convention."

The President announced the appointment of a committee on Dr. Mahan's Report and Resolutions, namely: Dr. Mulchahey, Mass., Dr. Otis, Mich., Rev. Dr. C. B. Dana, Miss., S. H. Treat, Ill., H. A. Schroeder, Ala.

The time for the order of the day having arrived—

The SECRETARY—read the report of the Committee on Canons as to section 5, clause 12, Title I. of the Digest, with reference to clerical intrusion.

On motion of Rev. Mr. Rogers, of Texas, the order



of the day was postponed, to take up the unfinished business of yesterday—the amendment to constitution, as to the formation of new dioceses.

G. C. SHATTUCK, M. D. (resuming):—I was speaking, when the House adjourned yesterday, to one point—the advisability of that provision, that there should be assured a support for the Bishop before he is elected. I mentioned that I had been led to this conclusion—that the way of managing those cases in England, where no Bishop is sent out until a support is provided for him, was a wise one. When I spoke of the diocese in which there had been a Bishop for twenty years, and where an effort to provide an independent salary consumed the whole time of eight years, I did not mean to insinuate that there was less disposition to contribute for so important an object than in the adjoining diocese, where there being a new Bishop, the support was provided in six months. I meant that it was human nature; and that if the two cases had been reversed I believe there would have been the same difficulty in attaining the desired object. Therefore I advocated the wisdom of this measure, that there should be provision for the Bishop in the outset and that he should know exactly what his support was. I have heard that the lay deputy from Pennsylvania has a motion to offer, which it seems to me would dispose satisfactorily of this matter, and I should like to yield the floor to him and hear what he has to say on the subject before I say anything further.

Mr. WELSH, of Pennsylvania—having the floor, yielded to—

Rev. Dr. HAIGHT, of the Committee on Canons:—What I have to say is this, looking to a resolution coming from a friend at my right (Mr. Welsh) which will bring this matter to a vote. I had hoped to have an opportunity before this matter came to a vote, to say a few words in reference to the general subject, and to show that the Committee on Canons had not acted thoughtlessly or unwisely in presenting this proposition. A great many things were said yesterday which would not have been said if the gentlemen had thought for one single moment that this matter had been before a committee of the House for several days—that it was not a haphazard proposition thrown in simply to provoke discussion. I have no desire to prolong this debate. I am perfectly willing to waive all my feelings and that of my colleagues upon a proposition to be submitted by my friend from Pennsylvania. In allowing this matter to go to a vote, should it be the will of the House, the Committee on Canons must not be understood as assenting to many views touching the question. There were many things said most eloquently by the gentleman from Texas, by the gentleman from Alabama, and by the gentleman from Tennessee, in regard to the main points, as to which my heart went with them. No man in this House sympathizes more fully than I do with their hopes and aspirations. But this is a question which touches

other interests than those of these dioceses. It looks to a question of far-reaching issues, and therefore we are obliged to put aside our feelings, our sympathy, our deep interest in the immediate prosecution of the work of the Church, and to consider maturely the principles upon which we are acting, for if we act upon unsound principles, then in the long run the Church whose life is not measured by the lifetime of a man or a generation, whose existence will run long after time shall have passed away, will suffer very material injury in the future.

Mr. WELSH:—If this be the Church of Christ, and if it is the will of God we should have Bishops, surely there must be some way to get them where God would have them and needs them. I am a firm believer that it is a literal truth, that any branch of the Christian Church that refuses to let God preside over them with Bishops, man will furnish with a Pope.

Rev. Dr. MAHAN: I do not see what is to be the drift or force of this arrangement. There is some sort of understanding that it is going to put an end to debate. I should like to understand by what process.

Mr. WELSH:—I can only say that it may put an end to debate upon the particular proposition before us, but not upon the subject. For the first time in a career of more than 30 years in convention, I was about to call for a vote to lay a proposition on the table. I was about to ask for the tabling of this particular proposition with the view of introducing that which I will now read. The present proposition is so entangled that we should require three or four votes to reach the point and then do it imperfectly. If the House decree to lay that on the table, then it was my purpose to offer this:

Resolved, That the Committee on Canons be instructed to report such amendment to the constitution and canons as to remove all restrictions as to divisions of dioceses beyond the approval of the Bishop and Convention of Dioceses that ask for the division, and the approval of the House of Bishops and the House of Clerical and Lay Deputies in the General Convention, as to the acceptance of the new dioceses.

After discussion of the question of order as to the obtaining of the floor by one member yielded by another decided adversely—

Mr. WELSH—withdrew his motion to table the different proposition, and offered his own proposition as a substitute.

THE PRESIDENT:—I beg leave to state to the House the actual position of the question. The Committee on Canons have reported an amendment to the constitution two-fold in character. One is in the nature of a repeal of most of the numerical and other (territorial) restrictions. That question is not yet before us, because they reported previously a resolution to amend the 5th article of the constitution by adding this pecuniary qualification. The question before us is upon adding those words to the constitution. If the House rejects that motion, then the report of the Committee on Canons will be almost identical with the substitute of the gen-

tleman from Pennsylvania, that is, it leaves the whole matter to the action of the Bishop of the diocese, the convention of the diocese, and the General Convention. The question would then be upon the adoption of these words or the rejection of them. That was the condition of the question before the offering of the substitute, which is now the first question.

Mr. —: The proposition is, that before a new diocese shall be formed the General Convention shall have assurance for the support of the Bishop. I may live to see the day when the State of Virginia will appear before this House asking for a division. What shall we do? If the laws of that State remain as they are now, I don't see how we can afford to the General Convention a satisfactory assurance for the support of the Episcopate, for under our laws we can give no other assurance than that the Church will walk by faith. Under our laws we can have no vested funds; and the laws of the State forbid ecclesiastical institutions from holding more than a certain amount of funds. The way the two Bishops of Virginia are now paid is out of a convention fund which is raised by an assessment upon the churches of a sum equal to one dollar upon each of the communicants of each parish. We have 150 parishes, and we report 110 ministers. By the assessment we raise about \$7,000 or \$8,000. None of the Bishops we have ever had have had the least reason to complain. I wish to present this point to the Committee on Canons. What kind of assurance do they mean to require? As the gentleman from Pennsylvania [Mr. Welsh] has well said, what better guarantee can we require than the other prerequisites still left, for the formation of a new diocese? The adoption of this provision would shackle the judgment of our successors. By rejecting it, we do not deprive our successors of giving due weight to that circumstance, any more than we deprive them of the opportunity to give due weight to every other consideration in the creation of a new diocese. This business of over-legislation in the Church as well as in the State is evil. It is well to believe that those who succeed us will have as much wisdom as ourselves. We should trust to the faith, honor, and zeal of the Church for its welfare and prosperity.

Rev. Dr. MULCHAHEY of Massachusetts:—I want to say a few words to suggest a difficulty in voting for the substitute of the delegate from Pennsylvania, to accomplish the object he desires to accomplish. If I understand his object he desires to get rid of the pecuniary condition for the formation of new dioceses; and in order to do that, he proposes a substitute for this series of amendments proposed by the Committee on Canons, that all restrictions shall be removed other than the consent of the Bishop. Now, it so happens that there is no pecuniary restriction in the constitution as it now stands. The Committee on Canons propose as the first amendment, the insertion of this proviso [for Episcopal support]. But for the substitute we should have had that

question directly before us, and if we vote down the substitute we shall still have that question before us.

I desire to say a few words more, due to the Diocese of Massachusetts. My learned colleague, one of the lay delegates from Massachusetts, has stated as a reason of this pecuniary condition some of the facts as to securing Episcopal support in the Diocese of Massachusetts. Those of us who know him, and have known how indefatigably he has worked for making up the episcopal fund, certainly will not for a moment suspect him of designing any imputation upon either the liberality of the laity or the earnestness of the clergy in that diocese. Still it is due to the truth of the argument, if not to the facts in the case, that somewhat should be added to the statement he has made. It is true there has been difficulty in making up the episcopal fund in the Diocese of Massachusetts; it is true also that the fund has been made up. It should be understood that the difficulty in raising it has not been the want of liberality on the part of the laity of the diocese, nor the fact that the Bishop was not a new Bishop. About 20 years ago, and after the present Bishop had been our Bishop for several years, a proposition was made directly for making up the fund at that time. The Bishop declined to comply with the proposition, and therefore the thing went by, and that as well as local circumstances should be taken into account, if the facts are to be used as argument on the floor of this House. It seems to me that my excellent colleague has been unfortunate in another matter—in referring to a former Bishop of Massachusetts or of the eastern diocese. The argument which was used yesterday, again and again, in favor of the pecuniary requirement has been that we are in danger of rendering our Bishops—shall I say, contemptible, or of detracting somewhat from the respect that we should otherwise attach to our Bishops, if we allow them to be poor? And if I understood the illustration of my colleague he referred to the former Bishop of Massachusetts, Bishop Griswold, as one who had been allowed to be without sufficient support. If the refusal to add the pecuniary restriction to the constitution shall give us such Bishops as Bishop Griswold, what stronger argument could be used against it? In the amendment proposed by the Committee on Canons, they adopt the phraseology of the constitution, providing for two classes of new dioceses. The first clause is very brief and refers to new dioceses in territories or unformed dioceses; there is absolutely no restriction to the formation of such dioceses, but the simple fact of acceding to the constitution of the Church in the United States. [Reads from the report of the committee.] So that in the formation of new dioceses in unformed territories the only condition required, is that there shall be six parishes and six presbyters. Now, that disposes of a large part of the arguments adduced on the floor of the House yesterday. We were told of the danger of multiplying dioceses—the danger of having very insignificant dio-



ceses—the danger of having Bishops who were not properly supported. There is danger of having inferior Bishops—always danger. How can we guard against that? Do you guard against it by pecuniary restriction? On the other hand is there not an opposite danger of forming dioceses on a pecuniary basis?—of forming too many in the money centres? I am not afraid of the legitimate development of the life of the Church. I am afraid of these money centres, and afraid of the influences that come thence to disturb the peace of the Church all over the land. I am not afraid of the legitimate development of the Church from its own inherent life, and I do think it is best to leave the Church in the South and elsewhere to develop itself in its own way.

Rev. Dr. HOWE:—In answer to what was said by the reverend gentleman about the formation of dioceses, not of already existing dioceses, I wish to say that we have heretofore had two classes of restriction, of which one is a territorial restriction, and another a restriction as to the number of ministers. The proposition at this moment is to strike out all restrictions, and yet in regard to the organization of the dioceses of new states or territories there is a geographical extent, and that makes the two cases to differ. Now, in regard to the question asked of the chairman of the committee, by the gentleman from Virginia, it will be observed that the restriction which it is proposed by the committee to insert in regard to the organization of new dioceses out of already existing dioceses, is intentionally indefinite in its terms. It does not undertake to prescribe how the maintenance shall be provided. It may be by teaching a school, or by being pastor of a parish. It may be by imposing upon the several parishes the requisition that there shall be a contribution from them, respectively, equal to one dollar from each of their communicants. Now, let us suppose there came up a proposition for a new diocese in Virginia, don't we know that until it has adopted a constitution and canons of its own, it will be governed by the constitution and canons of the diocese out of which it goes? In the supposed case it is required by the regulations of the old diocese there shall be a contribution equal to one dollar from each of the communicants; and that would constitute at once a provision for the Bishop if the new diocese is formed out of the old diocese of Virginia; for it will carry with it the laws of the old diocese; there will be immediate evidence submitted to this House and the House of Bishops that there is provision made for the Bishop. In regard to this multiplication of Bishops, I think there is a sensible mean upon that question. I think we may have too many Bishops, though I have heard an argument this morning for the multiplication of Bishops which would be more convincing to me than for the purpose to which it was applied. We were told that just in proportion as we increase the Bishops we increase the age of the senior Bishop, and by the time we

have reached 150 Bishops we shall have a senior Bishop approaching the age of Methuselah.

Gov. STEVENSON of Kentucky—moved that the debate be closed at half-past one o'clock, giving Dr. Haight the right to close the debate.

A substitute to allow only ten minutes for one speech to any member, prevailed.

Rev. Dr. McMASTERS, of Minnesota:—We have long been feeling that there is a propriety in taking off some of the restrictive legislation upon the dioceses. Upon this matter we have felt, especially in the West, that there were many cases of extreme hardship resulting from the restriction. We have come before this legislative body and asked that the restriction be taken off in part. The matter has gone to our legislative committee, the Committee on Canons; and that committee has made a report, which to my mind is satisfactory. It has taken off all the restriction that we felt to be any grievance. We have felt that we should be able to arrange matters easily if only the constitutional restriction were removed. I suppose that in the West generally, there would be entire satisfaction with the report of the committee. You have been told that if we proceed further and take off all restriction, the House of Bishops would most unquestionably kill the bill, and I fully sympathize with the views of the venerable gentleman from Connecticut [Rev. Dr. Mead] that it is better even if we want more, to take what we can get, than to hold on for more and lose it all. I am in favor of agreeing with the report of the committee. We shall lose the whole if we do not accept this, I am abundantly assured. I will say still further that there is an immense propriety in the General Council of the Church keeping its hands on the dioceses. It is well known that the presbyters of many small dioceses are mainly young men, and they often become exceedingly ambitious, and anxious to divide their dioceses, some for astonishing the world, and some for other reasons. It has long been observed that there is an intense individuality among our people. Children do not want to be restrained by their parents; States do not like to be controlled by Congresses; dioceses want to throw off the authority of the General Convention. We need the conservative element—something to hold Young America in his place. Already we have instances of dioceses young indeed rising up in complaint of their parents' name, and changing their own name. I have always thought it would be much more decorous and more filial if they had turned to their parents and said, "By your leave we will change our names." As it is, I think the parents will have to consent to the change of the family names in order to satisfy the children. This thing will have to be checked. They think it necessary, but older heads may see no necessity. I have known instances of Bishops elected without any certain provision, and a few years have shown the sad story that the dignity of the Episcopal office was almost degraded. One Bishop



in our Church has supported himself for years by teaching school. \*Another one told me that he accumulated within 15 years an indebtedness of more than \$5,000 just to support his family; there was no obligation felt by any one, and hence no provision made. I do not say that there should be an endowment; there are many other ways by which a satisfactory assurance can be given; but, for heaven's sake, let us have no more Bishops degraded and paralyzed by being thrust out into new fields without a dollar of support, ashamed to meet their own vestrymen, their own standing committee, their churchmen that they should love and who should love them—their hands hanging down in weakness and their heads in shame.

Rev. Mr. GASMANN, of Nebraska:—I beg leave to address the Convention upon one subject—that is the matter that Young America is getting too big for his boots. All I have to say about this matter is this. In the first place, I do not claim to belong to that class which comes under the head of Young America. In the second place, we have been held up as an example of those who are ambitious to divide dioceses. Now, let me say that I think you will find that this delegation, spoken of almost contemptuously by the reverend gentleman, is inclined to adopt the committee's report instead of rushing headlong with a blind zeal for the multiplication of Bishops without number. I entirely object to any such epithet. There is not a man in this Convention who will in all humility submit to the authority of his Bishop and all other proper authority, more than myself. I am in favor of the report of the committee as it stands, heart and head. I believe we should provide our Bishops support before we send them out. I believe in Bishops having faith to go into the missionary field, but I do not believe we should require them to live on miracles; and when a man says, I am willing to go into the missionary field without support, I point to that man as an unfit man to go into the missionary field. There is not a missionary among us, willing to do this. Our missionaries are pledged a support by the Board of Missions before they go and enter upon their work. Shall we send into the field a Bishop whose work is herculean and ask him to do without support? No, sir, it is a thing beyond humanity to endure.

JUDGE COMSTOCK, of Western New York:—I am so thoroughly persuaded of the inexpediency of introducing this change into the constitution, that I will ask the attention of the House while I state my views in regard to it. I need not say that I have the greatest respect for the Committee on Canons; yet we must not be governed by their judgment, but must exercise our own. Let us endeavor, in the first place, if we can, to understand what the provision is which the committee propose to introduce into the Constitution of the Church. Early in the discussion yesterday, I took occasion to say that the provision would justify the General Convention of the Church in prescribing the amount of the salary

which the proposed diocese must pay to its Bishop; and I then supposed that if that objection were well-founded it would be accepted at once as fatal to this change in the constitution. Upon a further examination of the clause, I am still more satisfied that it would not only justify but will require the General Convention of the Church in all cases to prescribe the amount of the salary; and I beg leave to call the attention of the House to the fact that no gentleman of the committee has denied that interpretation.

Gov. FISH:—I attempted to controvert it.

JUDGE COMSTOCK:—Whatever may be the views of the committee, we can not accept them as determining the meaning of their own language [in a constitutional provision]. We must judge of the language as those who come after us must judge—that is, by its terms; there is no other canon of interpretation. The committee say that an adequate provision must be assured to the Convention. I submit the question if that does not mean that the provision must be suitable or adequate (they are convertible terms) in amount. A provision inadequate in amount would be unsuitable. Understanding that to be the meaning of the proposed change in the constitution, I deny the right of the General Convention or any authority to intervene in a plain matter of contract between the diocese and the Bishop.

Two messages were here received from the House of Bishops: No. 12 naming Bishops McCoskry, Lee, and Clarkson the special committee to confer with Corresponding Committee from the House of Deputies on the subject of Church unity; No. 13 designating their Committee on Canons a joint committee on their part on the subject of admission to the ministry.

JUDGE COMSTOCK—moved as a substitute for Gov. Stevenson's motion to limit debate, that no gentleman should speak more than once nor more than five minutes, except Dr. Haight. Carried.

JUDGE COMSTOCK:—I deny the right on the part of the General Convention to interfere with the contract between the diocese and the Bishop. Especially do I challenge that right in the House of Bishops. I do not think they have a right to interfere with a civil contract. But this amendment means something else. According to all that I know of written language, it requires an endowment of the Episcopate. I think it has no other sensible, rational, or practical meaning. It will require in my interpretation that a capital sum must be raised, the income of which will support the Episcopate. If his be not the interpretation of what is proposed, it would be difficult, I apprehend, to suggest what the interpretation is. Allow me to ask the Committee on Canons—and I shall hear their reply in due time—what is the provision that shall give satisfaction unless it is an endowment.

Mr. EDWARD McCRADY, of South Carolina:—If you add this to the constitution you are bound hand and foot. If you want to say some provision shall be made,

name it. This provision is so vague and indefinite that if put into the Constitution, you will be entirely at the mercy of the Convention. If laws are made for any purpose, it is to bind the strong, to restrain those who may err. I want to know what shall be the restriction. Of all restrictions none can be so utterly subversive. I come from impoverished regions of the country. Can they satisfy this Convention? No subscription even could be made in the State from which I come that any man could have any confidence in. There is not enough in the future prospect to rely upon. I care not how you put it, still this Convention declares by this proviso, that unless you can give an assurance of sufficient wealth you can not have a Bishop, whatever may be the needs of the country; you can not divide unless you show us money. I am utterly and entirely opposed to that. I would throw open the doors as wide as they can be opened and take no restriction before I would take that. I hope that no one will vote for this measure, believing that any explanation upon this floor can interpret it.

JUDGE BATTLE:—I rise simply for the purpose of disclaiming on the part of the Committee on Canons, that any interpretation which they may make as to the words that are recommended, shall be considered as authoritative. We set up no such claim. They have a right to say what they think is a fair interpretation of their language. The gentleman from New York [Judge Comstock] and the gentleman from South Carolina [Mr. McCrady] are entirely mistaken if they suppose that the Committee on Canons set themselves up as having a right to say what is the meaning of that language, and that no one must contradict them. With perfect deference, however, to the opinions of other gentlemen, we think that the language can not possibly be compared to the language of an endowment. All that it requires is that the Convention should be satisfied in some way that the Bishop will be provided for, not that he shall live upon faith, which I consider nothing more than living upon the wind. I arose simply for the purpose of disclaiming on the part of the committee any claim on our part of setting up ourselves as the sovereign interpreters of words.

REV. DR. MAHAN.—I wish to say one word in reference to one point. It is stated in reference to this proposed provision that it puts the new diocese entirely within the power of this Convention to say, for example, what shall be the sum of the provision, and the like. If you will take the article as it stands at present you will find that this is already the case; that no new diocese can possibly be formed without the consent of this Convention. If the consent of this House is required, then this new diocese is already in the power of this Convention, and we have a perfect right to say whether it shall exist or shall not. The only object of this proposal of the Committee on Canons is, that when you come to get our consent, we shall take into consideration one very

important point, namely, whether the proposed new diocese is one likely to maintain the dignity of the episcopate. Suppose part of the Diocese of Virginia should come before this Convention to make a new diocese. The simple statement of their past history and the simple statement that they had made similar provision for the future would be ample provision for the episcopate; and the provision might be made in a great many such ways. But all I wish to say in reference to this without arguing the question is, that the language here was carefully considered for the purpose of leaving it entirely to the discretion of this House to determine what is a suitable provision in each case as it may arise. It seems to me utterly impossible to find any way in which this language can be tortured into any particular assurance. The great object was that this House should have before it the question of support of the episcopate in any new diocese, and use its own discretion as to what that should be.

Rev. Mr. MARPLE—read an extract from Bingham's Church History as to the use of the offertory in the ancient Church, which was divided into four parts, the first of which went to the Bishop. This justified the assertion that the ancient Church had a pecuniary provision for the support of the Bishop.

REV. DR. GOODWIN.—I desire to answer a question as to whether this provision is apostolic. The Apostle Paul says that "the Lord hath ordained that they who preach the Gospel shall live by the Gospel." I don't care whether you call it worldly support or pecuniary support. The apostle voluntarily declined to enjoy the privilege himself, for specific and peculiar reasons. I think it is an entirely different question whether Bishops shall deny themselves and serve the Church without support. It is our duty to support our Bishops. It is our duty under the ordinance of the Lord to give them a support; and I agree with the deputy from Nebraska that when a man comes and offers to live without a support, he is not fit for the work. Now who are interested in this case? In the first place, the new diocese electing its Bishop. Has the old diocese any thing to do with it? All parties agree that the Convention of the old diocese has a right to consent or to refuse consent. All agree that that restriction shall remain. Now they have not so much interest as we have. The General Convention has an interest in the case, for every Bishop that is added to the House of Bishops is one added to the legislative body of this Church. It seems to me extremely reasonable, therefore, that the General Convention shall have something to say. They have it to say. While the General Convention has a right to refuse or consent, I will suggest whether you do restrict at all if you put in the particular point that there shall be a pecuniary support. It may, thereupon, be fairly argued that that excludes all other grounds—that that provision having been made they would have a right to be admitted.

Mr. CHURCHILL.—There appear to be two sets of



opinions—some are for multiplying Bishops, and some are for having as few as possible. Some seem to think that if we have Bishops, they had better be as veiled prophets. I do not want Bishops unless they can mingle with the people. I am entirely in favor of the substitute offered by the gentleman from Pennsylvania. That puts it into the power of the General Convention to make a Bishop when they see fit. If this Convention are not able to form a sound judgment as to whether a new diocese should be admitted, where are we to look for a proper judgment? I think that this Convention has nothing at all to do with the pecuniary provision. A diocese asks for a Bishop; it elects a Bishop; and it comes knocking at the door and asks to be admitted. Now is it fair to ask if they have made provision for their Bishop? Is it not fair to presume that we shall have many Bishops who want no salary at all? In the parish to which I belong in the state of Kentucky—probably the largest in the whole state—we have a minister who year after year has devoted himself to the Church, and has received not one cent of pay, and yet the Church under his administration has flourished as in no other part of Kentucky. And I believe that there are plenty of gentlemen who will be willing to accept the office of Bishop, and trust for support to the people who elected them Bishop.

Mr. ———:—I understand the question before the House is whether this Convention shall have control over the stipend or salary that shall be given to the Bishop when he is properly elected. We live in a day when free churches have become common throughout our land, and when the principle has been maintained that the clergyman ministering to his people shall depend upon the offerings at the altar—that the whole plan of a salary is all wrong—that the alms at the altar should be that which should satisfy him. We have many churches now established on that principle. Now suppose a new Bishop should be required in a diocese, and one should be elected, and he should be sent forth on the same principles that the apostles were when our Lord said “Provide neither gold nor silver,” &c. “The workman is worthy of his hire.” Suppose we should agree to send forth a Bishop, should this Convention have a right to say we have not that right? If this restriction is to be adopted, don't the Convention assume that right? Do they not say you shall not send them forth as the Lord sent forth His apostles? I should be very sorry if a Bishop should ever be chosen upon—not upon the apostolic plan—but the Master's plan, and this Convention should not allow it.

Rev. Mr. GORDON.—I believe we can reach the object to-day, which the substitute would postpone indefinitely. The proposition is upon the report of the Committee on Canons. He proposes as a substitute that the Committee on Canons shall be instructed to report a change of the Constitution—permitting an increase of the episcopate without any restrictions. I think we can do the same

thing to-day as his resolution intends shall be done by the Committee on Canons in two weeks, at which time we shall have to debate the same thing over again. I would ask whether it is not better that the gentleman should withdraw his substitute, and enable us to act directly upon the report of the committee?

Rev. Dr. HAIGHT:—I am deeply sensible of the kindness of the House in according to me an opportunity to say a few words, and I will not detain them longer than is necessary. I think there is some danger of our misunderstanding each other in reference to the position which the members of this House occupy, in regard to the great question of Church and State. I suppose that all the members of this House are equally, one with the other, desirous, above all things, of promoting the prosperity and the growth of this branch of Christ's Holy Catholic Church. For one, I can only say that, whatever may be my views with regard to a particular plan, if I know my own heart at all, I have no desire deeper in my soul than to see this Church lengthening her cords, and strengthening her stakes as fast as is compatible with the true interests of the Church. If there are any men who desire to clog the wheels of the chariot of this Church as it is going forward, I do not know who they are. I repudiate, for myself and colleagues, all such imputations. I do not believe there is a man on this floor who can be called an obstructive in the way of Church extension and Church growth, although we may differ as to the mode in and by which this prosperity may be promoted. There are some, among whom is my honored friend from Wisconsin, for whom I entertain feelings of the deepest respect, feelings which began years ago when (I am almost ashamed to say it) he was my pupil and knew more than I did—I say, there are those among us who, with him, seem to suppose that all that is necessary to promote the growth of the Church is to settle the question of organization and the proper nomenclature. I am free to admit that the question of organization is an important one, that the question of names is not an unimportant one; but I cannot agree that if we settle these questions, henceforth the progress of the Church will be rapid. It may be, and it may not be. Then, there are those who seem to think all you have to do for the growth of the Church is to stud this world all over with Bishops. There is no man here who has a higher reverence for the Episcopal Office than I have, or who appreciates their functions more in the Church of Christ. But you might plant 25 Bishops in the State of Texas, and how much would the Church grow in the next year? There is something beside the Bishop necessary. I know the old maxim, *Ecclesia est in Episcopo*. It is a sound maxim, but it is not a universal maxim. There is something besides organization, and there is something besides the presence and authority of the Bishop, necessary for the growth of the Church of Christ. The Lord has ordained other elements, and you can not ignore these and expect the great results which prophecy leads us to expect, in our day. We want organization; and we want Bishoprics extended and multiplied; but besides the organization and Bishops, we want that those Bishops shall be able to go to their work with untrammelled hands and with minds at ease. We want them to have that which the Lord has also ordained—the



silver and gold wherewith to do their work. We want that they shall be able to gather around them the elders and the brethren, and that they should have their support, their sympathy and their alms. We have been referred to the Apostolic practice, and we have been told, almost in so many words, that the Divine institution of the Episcopate required simply that a man should be consecrated to the Office and then sent forth without scrip and without staff. I ask any gentleman upon the floor of this House whether there ever was a time from the days of the Apostles down to the present when the first care of the Church was not to provide for the support of the Episcopate? A gentleman on my left referred to Bingham. I looked at the passage this morning. I knew it was there. Every one knows that from the time of the Apostles down—the fourth of the oblation, of what we call the offertory—brought in and laid upon the altar every Lord's Day, was given for the support of the Bishop; and I challenge any man upon this floor to point me to a single instance from the time of the Apostles, from the time miracles ceased in the Church Catholic, where this rule has not been observed. Why, sir, the Lord hath ordained that those who preach the Gospel should live by the Gospel. What instruction do we give our people in the Offertory of the Church: "Who goeth to warfare at any time of his own cost?" They are the words of St. Paul himself. "Who planteth a vineyard and eateth not the fruit thereof? Or who feedeth a flock, and eateth not of the milk of the flock?"

I claim that it has been the settled rule of the Church Catholic from the primitive Church down to the present that the first care was the support of the Bishop. What was the Bishop wanted for? He was wanted to guide his Diocese, to give the best powers of his mind to the consideration of the great questions which came up for the decision of the Church; and he was wanted for his prayers. To hear some men, you would suppose that all that a Bishop was wanted for was to go about from parish to parish and from house to house and hold converse with his people. I hold that he has higher duties than these in the study and the closet; and woe to the Church when you have Bishops who do not study, and who can not think, and whose prayers are few and hurried.

I was speaking of the points in which we agree and those in which we differ. We all agree that the Episcopate is necessary for the welfare of the Church, and we all agree that it is desirable that the Episcopate and the dioceses should be extended from time to time, just so far as the needs of the Church demand. There is no difference at all upon these points. Some of us think that something more is necessary than the consecration of Bishops. I have already adverted to the fact that from the times of the primitive Church the rule has been established that the Bishop should be supported. We are the daughter of the Church of England. We owe to that Church a great debt of gratitude. We may learn, Mr. President, from the course of procedure of that venerable Church. It is true that from her connection with the State, and from the way in which she is fettered by the State, there are many things in regard to which her example and her precepts may not be applicable to us; but touching all those points which look to the life of the Church, I hold that this Church can never turn away from

the example of the Church of England. I chanced to be in England in 1841, just at the time when the great movement began for the colonial Bishops—a movement which has done more to strengthen the cause of Christ throughout the world than any other movement for the last two generations. The Bishops decided that a colonial fund should be established, and the Bishops sent out. From that time to the present the work has been going on, until now you find all over the globe, Bishops of the Anglican Church at work efficiently. What was the principle? Not to send forth or consecrate a Bishop until a decent support was secured for him. Not a great sum, but a sum sufficient to relieve him from all anxiety about his daily bread—a sum sufficient to enable him to go forth with mind and heart unfettered and untrammelled. Let us look across the border to our Canadian brethren; we may learn something from them. A few years ago it was proposed to divide the Diocese of Toronto into three dioceses. The venerable man then at the head of the diocese, now translated to his rest—one of the wisest, and one of the noblest Bishops the Anglican communion ever had—what did he say about this matter of division? He gave his consent at once that the two new dioceses should be formed—the Diocese of Huron and that of Ontario—but not to come into existence until a decent support for the Episcopate was provided. So that from the earliest times down, all through the history of the Church, has this principle been recognized. And what has been the result in that Communion? Why, sir, you never hear of a colonial Bishop spending his time teaching school to get his daily bread, frittering away his precious time at the school-master's desk. We have heard of that in this country, and we have seen it to our shame, and the Church has known it to her great loss.

One of the objections which has been made to the plan of the committee is, that it indicates a great want of faith that this Church should say that the Bishop of any new diocese, created out of an old one, should not be consecrated until this Convention has satisfactory assurance that he will be supported. That, it is said, indicates a great want of faith. What is faith? It is trust in the promises of Almighty God, and readiness to obey all His commandments. What command is there of Almighty God, or what arrangement is there of His in regard to this matter of the Bishops and clergy of His Church, save that contained in His Word to which reference has been made? If that is the Divine ordinance, that they who preach the Gospel shall live of the Gospel—that the Bishops in the Church shall be supported by the Church, where is the want of faith in asking that the Church shall walk in the line indicated by Almighty God and His Word? That the Laity shall be told—"Here is your duty clearly written upon the pages of Divine inspiration. Do that duty, and you shall have the blessed privilege which you seek." I have heard this cry of faith often raised; have known it to be raised by young, ardent and enthusiastic minds. I believe it to have been raised honestly and conscientiously; but I contend it will not stand the test of examination. Do you ask your clergy to act upon any such notion of faith? Have you asked your missionaries to act upon such a notion of faith as that? And will you ask your Bishops to act upon that idea of faith? to come forward and kneel down and receive the imposition

of hands, and assume the fearful responsibility of a Bishop in the Church of God, and then go out and depend upon the chance charity of their fellow Christians, and wondering how they shall be supported? If that is faith, then I have to go to school again and renew my study in the Holy Scriptures, and in the catechism. It is not faith; it is *presumption*; and if we act upon that, we shall most assuredly be covered with shame. I have known wise and intelligent men in the Church who have attempted to act upon this idea of faith, and have seen them covered with misfortune and pecuniary responsibility, and loaded down with agony for years by so doing; and I do not desire to see any one of our Bishops again placed in this position. Again, we are told that Bishops must be men of self-denial, and that to provide comfortable support in this way is to intimate that you do not expect self-denial on the part of your Bishops. I do not know what may be the experience of others, but my own experience and observation lead me to say, that I never yet have known any Bishop in this Church who has not been obliged to exercise great self-denial. I think you will find greater equality among the Bishops in point of support than persons looking from the outside only would be apt to imagine. I have never known a Bishop who has not been obliged to exercise self-denial. I venture to predict there never will be a Bishop in this Church who will never be called upon to exercise self-denial—whose support will not be meagre, not only when compared with gentlemen at the head of other professions, but with men who are working at your looms and on your railroads. The Bishops are not only expected to be gentlemen, but to live like gentlemen, and to act as gentlemen; and they are expected to do this upon a miserable pittance, nine times out of ten, which the men who work for your rich men would scorn to take as their wages. I know scores of presbyters, and many Bishops, who not only are gentlemen, but live as gentlemen, and whom the whole world recognize as living as gentlemen, but who are obliged, in order to do that, to resort to a close economy, which the common workman is not bound to exercise. It pleased the Great Head of the Church to lay, at the beginning, the cross upon those whom He called to go forth and preach the Gospel in His name; and that heritage has been handed down from generation to generation. Thank God that that heritage is ours. It is our glory; it will be their comfort, and through God's mercy the salvation of scores of the clergy, and will redound to the welfare of the Church throughout the unending ages of eternity. You need not be afraid that your Bishops will not be men of self-denial. The world will have to change, society, and all the circumstances around us, before that can be the case.

Another objection raised by the gentleman from Tennessee, and repeated this morning by the gentleman from Western New York is, that any such provision as this is an interference with the rights of the diocese. Their view is that we assume to legislate upon the subject of salary, and then others have objected that the language of this proviso is exceedingly broad, vague and indefinite. It is indefinite and broad, and was made so on purpose; for, we had no idea, whatever, of introducing any proposition into this body by which this Convention should undertake to say you shall pay your Bishop so much salary. We never in-

tended to say it; and repudiate altogether the idea that we meant to say that there should be an Episcopal fund out of which the Bishop shall be paid. It was left open on purpose, our simple idea being to bring before the minds of this Church that what was needed for the prosperity and growth of the Church was simply provision for the support of the Episcopate—some arrangement by which a Bishop should not be obliged to engage in a secular business for his bread. The honorable gentleman from Tennessee spoke of the division of Tennessee into three parts. He said if it could be done and we had a Bishop in Knoxville, he could be surely supported. If that is the case, then, I apprehend, he can make it perfectly patent to any committee on the part of this House; he can render it evident to this House that that is the fact, and that being the fact, the House would give its consent. I do not know how it may be with others, but when I come up to this House I do not regard it as merely an assemblage of gentlemen coming up to legislate in regard to this and other matters. There is another and a higher view to be taken of the functions of this body. It is called in the prayer which we offer from day to day a council of the Church, and we pray that the Holy Spirit may guide our deliberations. Are those mere words? or do we believe that in this body the Great Head of the Church, by His Spirit, is presiding, guiding, moulding, and governing the minds of its members? If so, as I believe, and if I did not believe it I should not value the honor of a seat on this floor very much—if we do believe it, then can we not trust this body with the settlement of a question like this, without supposing that they are going to treat it merely as a secular convention? I trust this body as I trust the Church, because I believe it to be a branch of the great Catholic body, and because I believe this body to be a Council of that Church. I am willing to trust this and similar questions to this House, to be acted upon as they shall think best, upon the broad, general principles of the Gospel. These points give me, as an individual, no manner of concern, whatever. When I look back to General Conventions which I remember when I was a boy—I have always felt the deepest interest in them, and have retained a lively recollection of what has passed—I have not yet seen the day, in the most trying times of the Church, in seasons of the greatest difficulty and perplexity, when, though sorrow and darkness brooded for the night, joy did not come in the morning. I have never yet seen the day when clouds have not dispelled and the Deputies gone home, rejoicing on their way; and what has been will be, if we are only faithful to our trust.

What is the proposition of the committee? We introduce great changes in the organic law of the Church in regard to the creation of new dioceses and the appointment of new Bishops, if it shall please this House, and the House of Bishops shall concur. We strike out—such is our proposition—all other restrictions from the Constitution save three, the necessity of the consent of the Bishop of the Diocese for a new Diocese, of the Convention of the Diocese, and of the General Convention; we put certain restrictions into a canon, which we propose for adoption hereafter, where they can be altered from time to time, according to the needs of the Church, and as the experience of the Church shall point out the importance of so doing, without waiting



three years. We take away every restriction save the three I have mentioned, and this new one. I do not wonder that the proposition has occasioned a great deal of debate; but I now leave it to the thoughtful minds of the members of this Convention. Whatever may be the decision of this House and this Convention touching this proposed alteration in the Constitution, I shall look forward to the future of this Church with renewed hopes, with higher expectations than any I have yet cherished. To see us all together again from the East and the West, from the North and South; to be able to take each other by the hand and hold sweet converse together, comparing our different local views with reference to the work of the Church; communicating our hopes, aspirations, and expectations—this is not only most delightful and most glorious, but it certainly does stimulate, in my mind, higher hopes of the future of this Church. And when I look around this Convention and take note how, since the day when we first came together, not one unkind word has fallen from the lips of anybody, how there has been presented a remarkable degree of forbearance, I thank God and take courage. We have passed through a great crisis. We are now upon the verge of great movements for the future. I have no doubt, whatever may be the decision upon this case, that these movements will be onward and onward; and by whatever means it shall please Almighty God to bring about the result, the result will come that this branch of the Church shall be a praise and glory in the whole earth. God grant it.

HON. MR. SHEFFEY, of Virginia (long a speaker of the House of Delegates of Virginia), stated his views as to the parliamentary order of taking the vote.

A motion to strike out the pecuniary proviso was lost, the vote being by dioceses and orders.

A motion to adjourn was negatived.

The pending amendment to the resolution of the committee was withdrawn.

THE PRESIDENT:—The question recurs upon the adoption of the whole resolution.

JUDGE COMSTOCK—moved to strike out of the first proposition of the committee all after the word *until*, and insert these words, so that it shall read “until the General Convention shall be satisfied that the Bishop of the said new diocese shall receive a competent support.”

REV. DR. PIERCE—offered verbal amendments, accepted by the committee.

MR. SHEFFEY—raised the point of order, that the House having refused to strike out, precludes a subsequent motion to strike out and insert.

Which point of order was sustained by the President, and Judge Comstock's motion was declared out of order.

DR. WHEAT:—I understand the President to say that the vote is now to be taken upon the whole report, including the canon.

THE PRESIDENT:—We have nothing to do with the canon.

REV. DR. GOODWIN—called for the vote by dioceses and orders.

The resolution was then adopted by the following

vote: Clerical, Ayes, 27; Nays, 3; Divided, 5; Lay, Ayes, 27; Nays, 3; Divided, 1.

REV. DR. GOODWIN:—I move that the remainder of the report of the committee be referred to the next Convention.

REV. DR. HAIGHT:—I move that it be sent to the House of Bishops for information.

The President being about to take the vote upon motion to refer the remainder of the report to the next General Convention as unfinished business—

REV. MR. ROGERS said:—I believe the committee are prepared to make that [canon] satisfactory to Texas [in respect to number of parishes and clergy in the new and the old diocese] which needs it more than any other diocese. I do not wish that transferred to the next Convention; and I ask that this Convention may pass upon it: they can do it as well as the next.

On motion this House adjourned to 10 o'clock, A. M., to-morrow.

#### TENTH DAY'S PROCEEDINGS.

SATURDAY, Oct. 17th, 1868.

The Convention met pursuant to adjournment.

Morning Prayer was said by the Rev. Dr. Stubbs, of New Jersey, and by the Rev. Dr. Jacob L. Clark, of Connecticut.

The Benediction was pronounced by Bishop Atkinson, of North Carolina.

The journal of yesterday's proceedings was read and approved.

On motion, members of the Board of Missions were invited to seats within the body of the church.

Reports of Standing Committees being in order,

REV. DR. HAIGHT—from the Committee on Canons, reported an amendment to Canon 9, Title I, substituting “one year” instead of “six months,” as the required time of probation to be required of ministers not of this Church [i. e., of the Roman Catholic Church] candidates for admission to this Church.

REV. DR. STUBBS—favored rather decreasing to six months the time of probation (one year) now required of the ministers of the Church of England.

REV. DR. HAIGHT—said that an increased time of probation for Roman Catholic ministers was necessary to guard against imposture, and allow ample time to obtain testimonials.

MR. WALLACE, of Missouri—stated an illustrative case of application of a Roman Catholic priest for admission to this Church, arguing the propriety of increase of the time of probation.

The resolution was adopted.

REV. DR. HAIGHT—reported from the Committee on Canons:

(1) That it is inexpedient to change Clause 59, Sec. 7, Canon 13, Title 1, so as to make the missionary bishop of course the Diocesan Bishop of a diocese created within his district. The committee were discharged from further consideration.



(2) With reference to a referred memorial, that the amendment to Canon 11, already reported, was all that was now expedient. Submitted, without any action.

Rev. Dr. ROBERT A. HALLAM, of Connecticut, Chairman of the Committee on the State of the Church, read the following report and resolution:

#### REPORT.

The Committee on the State of the Church, in presenting their report to the General Convention, are happy to find themselves relieved from the embarrassment under which their predecessors have labored in the last two General Conventions in consequence of the civil distractions of the country. Again it is possible, with devout thanks to Almighty God be it said, to present a view of the whole Church in all parts of the land. In the present General Convention all the dioceses of the country are once more represented, and from them all statements of their condition have been received, which are embodied in this report.

From these statements, and from such other sources of knowledge as have been within their reach, the committee are enabled to present a view of the state of the Church that exhibits abundant reasons for encouragement and gratitude. In every part of the Church there are signs of prosperity and success. Especially gratifying are the evidences of an increased zeal for missionary efforts and the salvation of men, evinced in larger contributions and in more earnest work of clergymen and laymen. The laity of the Church have awakened to a livelier sense of their obligation to give and labor as fellow-workers with their ministers unto the kingdom of Christ. There is an increase of benevolent effort in various departments of action; in the instruction of the ignorant and the succor of human want and suffering and in the use of appropriate means to mitigate the ills of life and promote the highest interests of men. The committee rejoice to be able to say that in their judgment this Church is becoming more and more a working Church.

From some parts of the land, to be sure, comes up the sad complaint of devastation and impoverishment. But these complaints are tempered by a Christian patience, an unshaken faith in God and a firm determination to strengthen the things that remain, and rebuild upon the old foundations, as God shall give them power, the walls of Jerusalem that are broken down: while the sympathy and assistance that this want and suffering have called forth have bound the parts of the country together in stronger bonds and rendered the unity of the Church firmer and more complete, a more living and conscious principle.

And this unity, the committee believe, has been strengthened, as by this, so by other causes also. The occasional trials to which it has been subjected, and abnormal tendencies that have manifested themselves here and there, whether by excess or defect, have served to illustrate this unity and also to establish it. The great mass of churchmen are one in heart, and, as to all necessary things, in judgment and purpose also. With the Church as she is, as our fathers have handed her down to us, they are content; and while willing to tolerate minor differences of opinion and practice in one another, are striving together for the defence of the Gospel, in nothing terrified by their adversa-

ries. Beholders from without may have thought divergencies and repellencies within strong enough to rend her apart; but she has never allowed herself to doubt that the bonds which hold her together are far stronger and more efficient.

The success of our missionary and frontier bishops and their faithful fellow-laborers in planting the cross in the wild and rapidly growing regions committed to their care since the Church last met in council, is a fact too pleasing to be omitted in this report. For once this Church has been in advance of the stream of population and has moved on abreast of its swelling current. And she is blessed in the deed, and is making herself effectually felt amid the growing mass of emigrants and settlers, and even in the realm of filthy Mormonism, and, to some small extent at least, among the wronged and neglected aborigines.

Since the last General Convention the ranks of our episcopate have been thinned by the demise of six of our Bishops—The Right Rev. John Henry Hopkins, D. D., LL. D., Bishop of Vermont, and at the time of his death presiding Bishop of the House of Bishops; the Right Rev. Stephen Elliott, D. D., Bishop of Georgia; the Right Rev. Cicero Stephens Hawks, D. D., Bishop of Missouri; the Right Rev. George Burgess, D. D., Bishop of Maine; the Right Rev. Francis Huger Rutledge, D. D., Bishop of Florida; and the Right Rev. Thomas Fielding Scott, D. D., Missionary Bishop of Oregon and Washington Territory. But the loss has been more than made good in number by the addition of no less than fourteen to the number of our bishops, a number far outstripping the additions in any like period of our former history. They are as follows:—The Right Rev. Richard Hooker Wilmer, D. D., consecrated by bishops of this Church during the temporary suspension of communication with the Southern portion of the country, and recognized as Bishop of Alabama upon his compliance with the conditions prescribed by the last General Convention; the Right Rev. Robert Harper Clarkson, D. D., Missionary Bishop of Nebraska and Dakota; the Right Rev. George Maxwell Randall, D. D., Missionary Bishop of Colorado and Wyoming; the Right Rev. John Barrett Kerfoot, D. D., Bishop of Pittsburgh; the Right Rev. Channing Moore Williams, D. D., Missionary Bishop in China and Japan; the Right Rev. Joseph Pere Bell Wilmer, D. D., Bishop of Louisiana; the Right Rev. George David Cummins, D. D., Assistant Bishop of Kentucky; the Right Rev. William Edmond Armitage, D. D., Assistant Bishop of Wisconsin; the Right Rev. Henry Adams Neely, D. D., Bishop of Maine; the Right Rev. Daniel Sylvester Tuttle, D. D., Missionary Bishop of Montana and Utah; the Right Rev. John Freeman Young, D. D., Bishop of Florida; the Right Rev. John Waters Beekwith, D. D., Bishop of Georgia; the Right Rev. Francis M. Whittle, D. D., Assistant Bishop of Virginia, and the Right Rev. William Henry Augustus Bissell, D. D., Bishop of Vermont.

The committee have again encountered embarrassment and delay in the execution of their work, in consequence of the imperfect condition in which the tabular digests required by the canon from the different dioceses have come before them and the want of promptness in preparing and presenting them. The committee venture to suggest that this difficulty would be much diminished if in all the Dio-

cesan Conventions there were a committee on the state of the Church, or a tabular summary of the parochial reports were printed in the journals of conventions.

The reports of the respective dioceses are made a part of this report and are herewith presented.

In conclusion the committee recommend the adoption of the following resolution:—

*Resolved*, That the view of the state of the Church here presented be transmitted to the House of Bishops, asking its prayers and blessing, and requesting it to prepare and cause to be published a pastoral letter to the members of the Church.

ROBERT A. HALLAM, Chairman.

GEORGE D. GILLESPIE, Secretary.

Rev. Dr. LITTLEJOHN:—I desire to call the attention of the House to the character of the report just submitted. I consider it in its way a model. Although brief it touches most happily upon every leading subject which interests the Church, presenting an exceedingly satisfactory total result, all in a style which my neighbor of accurate tastes (Gov. Fish) has aptly said was like a polished crystal. A document so brief yet comprehensive, so happy in temper and faultless in style, is certainly a subject of congratulation.

The resolution of the above report was then adopted; and by subsequent motion temporarily referred, prior to being sent to the House of Bishops, to Committee on Christian Education.

Rev. HIRAM W. BEERS, of Wisconsin—offered the following preamble and resolutions, the second resolution (moved by a deputy from New Hampshire) having been accepted by Mr. Beers.

Whereas our Church is charged by its Divine head with the duty of imparting to all the people of this country the Gospel of Salvation; and whereas the growth of the nation and the increase of its population have thus far vastly transcended both the ordinary and missionary arrangements of the Church, so that to-day there are thousands of cities and towns and hundreds of interior counties scattered through the States where the voice of the Church is not heard and the presence of her ministers is unknown; and whereas it would require a five-fold greater number of regular clergymen than are now in orders, and an additional outlay of millions for the next twenty-five years to bring the scale of our religious operations and the measure of our spiritual provisions up to a high standard of our Catholic claims, and the solemn magnitude of our Catholic obligations; and whereas it is the peculiarity of this country and age that sentiments, beliefs, institutions and usages, seeking to possess and mould the minds and hearts and lives of the people, must appeal to, and operate through the children; and whereas the Christian school is, under God, the one instrumentality and channel through which Christian sentiments, beliefs, institutions and usages can be brought to bear directly, systematically and continuously upon the children of this country, so that they shall be trained in a manner befitting "members of Christ, the children of God and the inheritors of the Kingdom of Heaven;" and whereas the Christian school would find a field of usefulness and a ready welcome in places where honest prejudices would stand in the way of Church work by the regular clergy through the ordinary parochial organizations; and whereas existing theological schools, general and local, fall far short of supplying the constantly increasing demand for clergymen for the regular parochial work of the Church; therefore, in solemn view of the duty of this Church to God as

the Steward of His Grace, of life and salvation, and in an honest endeavor to meet our responsibilities, it is hereby

*Resolved*, That this House, the House of Bishops concurring, recommends the establishment of Christian schools in every parish where it may be practicable.

*Resolved*, That the work of extending and planting the Church in cities and towns, where it is already established, can be carried on economically and successfully by opening grammar schools in chapel school-houses, where the children can be trained in learning and religion through the week, and assembled with parents and others on Sundays for Divine worship.

*Resolved*, That in order to provide competent principals or heads for these schools, and especially for the mission grammar schools, we recommend the establishment in every diocese of a training school for those who desire to become teaching deacons in the Church of God, and for the education and training of youths and young men who may wish to devote their minds to the work of God, by acting as lay teachers in this Church.

*Resolved*, That the subject of a training-house for female teachers in each diocese and a sisterhood of such, under wise regulations, voluntarily bound for definite periods to go where the Church needs them, and to train, in the schools of the Church, our children for Christ, as a work of love and mercy to their souls, is one of vast importance and is commended to the prayerful consideration of churchmen.

Rev. Mr. BEERS:—Before moving the reference of these resolutions to the Committee on Christian Education, I would like to make a few remarks in relation to the matter contained in the resolutions. Our theory is that we are a branch of the Church Catholic in these United States. I suppose that there is not a clergyman or intelligent layman in the Church, that has not often been perplexed from the difficulty of reconciling our magnificent theory with the actual practical condition of affairs in the Church. Under responsibility to give the Gospel to all we do not give it to one in five hundred. And probably he has sometimes thought that it is the business of conventions and committees of our Church to find how not to do it, to constitute of themselves a circumlocution office that shall be occupied with splendid success in the work of endeavoring to contrive how we shall not go outside of a certain circle and how we shall reach no result that has not been reached half a century or seventy-five years ago. We need not be surprised that the religious world outside of the pale of the Church, and especially that the world of irreligion outside of the pale of the Church, are incredulous about the grand claims put forth by us. We need not be surprised that when they hear us recite in unison the great Catholic creeds of Divine worship, there is an undercurrent of doubt about the conviction and sincerity with which we recite these formulas of faith, because they see that in some way or other, if we are the Church of Christ in this land, the land is going to the devil as fast as it can, for all we are doing. I mean outside of the comparatively limited circle. In saying this, it is not said that the ministry and laity of the Church, according to the instrumentalities they have adopted are not doing according to the best ability that God has given them. But the question arises whether there are not instrumentalities within our reach that would expedite the



realization of our grand ideas by centuries, and which it would be better to use than to stick to the old tracks and run in the old ruts forever. As stated in one of the preambles, education is the particular vanity of the American people. It is the one subject about which there is not in any quarter the courage to raise a single question. I do not care what kind of school is proposed, there is no man, especially if he has any aspiration to office, that dares raise a question about that being the finest thing in the world. And I say this for the purpose of bringing forward this consideration, namely, that the particular ground of education which it is proposed in these resolutions to occupy, and which is open for the advantage of the Church and the salvation of souls, is absolutely unoccupied in all this land to-day. [After speaking of the Romish schools, of the difficulty of extending the Church owing to the prejudices of the adult population, of the importance and ease of impressing the young, and of the advantage of having a teaching ministry to support the services of the Church, he said:] In this way I have come to the settled conviction that if the Church is willing to take this instrumentality and plant herself as a teaching Church in towns and cities where the Church does not exist, there will be no difficulty in laying firm her foundations. In some of the dioceses of the West, there are a hundred towns and cities, the smallest of which has a population of a thousand, where the voice of the Church is not heard. There is one diocese, which is comparatively well occupied, and in which Church work is going on with great vigor, and yet it has fourteen counties, where the services of this Church are not heard at all, and we can not do any better by the ordinary processes. The teaching side of the Church will sustain the side that celebrates the Divine service, and you will establish the Church in a community in a few years, and have all the elements needful to go on with the work of the Church.

On motion these preambles and resolutions were referred to the Committee on Christian Education.

Two messages, Nos. 14 and 15 were here received from the House of Bishops.

The House now proceeded to the unfinished business of yesterday, the motion of Dr. Goodwin to refer the following canon reported in connection with amendment to canon 11 (concerning new dioceses) to the next General Convention as unfinished business.

Resolved, That the following be adopted as a new canon, to be section four of Canon six, of Title three. No new diocese shall be formed which shall contain less than six parishes, or less than six presbyters who have been at least one year canonically resident within the bounds of such new diocese and regularly settled in a parish or congregation therein, and qualified to vote for a bishop. Nor shall any new diocese be formed if thereby any existing diocese shall be reduced so as to contain less than twelve parishes, or less than twelve presbyters, who have been residing and settled and qualified as above mentioned.

A question as to whether the reference had already been agreed to was discussed sometime, when the President decided that whatever might have been the parliamentary effect of the action of yesterday, the House had not intended to either adopt or refer, but had simply acted upon the first resolution of the report of the committee.

Mr. McCrady, of South Carolina—opposed the reference, and claimed that as the subject of the canon relating to the organic constitution of the Convention, its provisions should be in the constitution.

Judge CONYNGHAM—concurred in these views.

Mr. COLUMBUS DELANO—opposed the reference and claimed that it not only could but should be acted upon now, so that the restrictions removed from the constitution should exist somewhere in the legislation of the Church.

Gov. FISH—moved as a substitute for the pending motion the following resolution:

Resolved, The House of Bishops concurring, that the following amendment to the canons be adopted to take effect and become operative on the adoption and ratification of the proposed amendment to the 5th article of the constitution as recommended by the Convention, 16th Oct. inst. "No new diocese," [&c., as in the canon above.]

The vote upon the substitution resulted in the affirmative, when the resolution was adopted.

On motion of Rev. Dr. Alfred A. Watson, of North Carolina, the Committee on Canons were instructed to inquire into the expediency of establishing missionary organizations within existing dioceses when requested to do so by the ecclesiastical authority of such diocese or dioceses.

Mr. CHURCHILL, of Kentucky—moved that for the remainder of the session no member be permitted to speak more than ten minutes, nor oftener than once on the same subject, which was adopted, excepting members of standing committees in charge of motions.

On motion of Rev. Dr. Haight, the House proceeded to the consideration of the following amendment to the canons.

Resolved, the House of Bishops concurring, That section 6, clause 2, of Canon 12, Title 1, of the Digest, be amended by inserting in the 19th line of said clause, immediately after the words "shall be necessary," the following words, viz:—"But nothing in this canon shall be construed to prevent any clergyman of this Church from officiating in any parish church, or in any place of public worship used by any congregation of this Church, or elsewhere within the parochial cure of the minister of said congregation, with the consent of the clergyman in charge of such congregation, or, in his absence, of the church wardens and vestrymen or trustees of such congregation or of a majority of them."

The reverend doctor proceeded to explain the intended operation of this amendment, that it would obviate conflicting interpretations of the present law of the Church, so as to allow of a minister's inviting a brother to officiate in his pulpit without asking the consent of



a majority of the ministers of the Church resident in the city or town. A number of amendments were offered, but they were all declared out of order, and without much debate the proposed amendment was unanimously carried. After the vote was announced, Judge Conyngham, of Pennsylvania; Judge Comstock, of New York; Mr. De Rossett, of North Carolina, and Rev. Dr. Peterkin, of Virginia, offered other amendments to the same canon, with the intention of rendering it less restrictive, which were all referred to the Committee on Canons.

The following new canon, on the consecration of churches, reported from the committee on the 15th inst., was then taken up:—

1. The form of consecration of a church or chapel shall not be used at any time before sufficient evidence be furnished to the bishop that the building to be consecrated, and the land on which it stands, are free from debt or other pecuniary liability.

2. The title to such building and land shall be secured to the person, persons or corporation authorized by the laws of the State or Territory in which it is situated to hold property for the diocese, parish or congregation, and such building and land shall not be encumbered nor alienated by mortgage or sale, by the parties aforesaid, without the consent of the ecclesiastical authority of the diocese in which they are situated.

3. A church or chapel once consecrated to the service of Almighty God shall be "separate from all unhallowed, worldly or common uses;" and it shall not be removed or disposed of or taken down unless permission be first obtained from the bishop, acting by the advice and consent of the standing committee of the diocese in which it is situated.

A number of objections were made to the phraseology, especially from Vermont and Maine, the peculiar laws of which States make a pew real property and subject to attachment for debt. The proposed canon was finally referred back to the committee, and the House at half past three o'clock P. M., adjourned to Monday.

#### ELEVENTH DAY'S PROCEEDINGS.

MONDAY, Oct. 19th, 1868.

The Convention met pursuant to adjournment.

Morning Prayer was said by Rev. Mr. Perkins, of Kentucky, and Rev. Dr. Adams, of Wisconsin.

The Benediction was pronounced by Bishop Talbot.

The journal of Saturday's proceeding was read and approved.

Rev. Dr. HAIGHT—reported from the Committee on Canons, that the proposed amendment to Canon 12, Section 2, Title 2, (to the effect that members of the Church should be amenable to the parish jurisdiction to which they may remove) is inexpedient, and asked that the committee be discharged.

Rev. Dr. STUBBS—hoped that the Convention would not dispose of the subject in that manner, and moved to recommit. But understanding that the Committee on Canons had before them the subject of an amendment which would meet his wishes, he withdrew his motion to recommit.

On motion the committee were discharged from the further consideration of the subject.

Rev. Dr. HAIGHT—presented Report No. 13, from the Committee on Canons, with reference to a resolution of inquiry and direction touching the duties and discipline of Lay-readers, reporting that in their judgment the existing legislation of the Church on this subject is sufficient, and asking to be discharged from further consideration of the subject.

The committee were then discharged.

Report No. 14 from the same committee was submitted, with reference to the proposed amendment of Canon 20, Title 1, as to the use of the Book of Common Prayer, giving Bishops of this Church the power to sanction forms of service selected from the Book of Common Prayer instead of the prescribed forms, under peculiar circumstances.

The committee deemed the proposed amendment inexpedient and asked to be discharged from further consideration of the subject, and were accordingly discharged.

Rev. Dr. RICHARD S. MASON—from the Committee on the Prayer Book, reported on the resolution of Dr. Rylance, with reference to the typographical correctness of the last sentence but one in that part of the Holy Communion office known as the Invocation, ending with the words, "That He may dwell in them and they in Him."

The committee reported that it was originally derived from the office of the Scotch Episcopal Church, and they were unanimously of the opinion that it would not be advisable to make any change in the present phraseology. On their request the committee were discharged.

Another report from the same committee was submitted, on the resolutions offered by Rev. Dr. Haight with respect to alterations in the stereotype plates of the Book of Common Prayer, and other matters—that the committee did not find in the possession and custody of this House or of any officer of the General Convention a copy of the standard edition of Common Prayer referred to in Canon 17, Title 1; that the Messrs. Harper Brothers had formerly in their possession a set of stereotype plates which had been sold and whose present ownership could not be traced; that a set of plates is in the possession of Mr. James Pott, agent of the New York Bible and Prayer Book Society, who says that the plates have been in his keeping since December, 1861, and that from that date they have remained intact though some changes had been previously made in them but by whose authority he had not been able to find out. The nature or extent of the changes the committee were unable to ascertain. They submitted a resolution to the effect that a joint committee to consist of three members on the part of this House be appointed to sit during the recess with power to examine the stereotype plates of the edition of the Prayer Book now in the possession of Mr. Pott, and correct the

manifest typographical errors thereof; secondly, to ascertain what changes had been made in said plates from the standard edition of 1844, and restore such plates to conformity with said standard edition; and thirdly, to procure and publish either from the old plates or new another and correct edition of the standard Prayer Book; and, fourthly, that there should be an officer of the Convention appointed to be called the custodian of the standard Prayer Book who shall be intrusted with the keeping of the plates and a copy of the book for the use of the Convention. The committee nominated as members of the committee referred to in the resolutions, Rev. Dr. Haight, of New York; Rev. Dr. Coit, of Troy; Rev. Dr. Howe, of Philadelphia; and, as a custodian of the General Convention, Rev. Dr. Haight.

On motion, these resolutions were adopted.

Another report from the same committee was submitted with the following resolution:

Resolved, That it be referred to the Committee on Canons to consider the expediency of amending the second section of Canon 17, Title 1, by striking out the words "Harper and Brothers in 1845," and inserting the words "and corrected and republished under the supervision of a joint committee of both Houses of the General Convention, 1868."

Which resolution was adopted.

The special committee to whom was referred the resolution that the Diocese of Maine have permission to make a transcript of the catalogue of ordinations in the American Church, prepared by the late Bishop Burgess, and also the memorial and statement of Rev. Dr. Bailey, of Vermont, embracing preambles and resolutions to the same effect, adopted by the Convention of that diocese together with similar memorials from the dioceses of Maine, Massachusetts, Rhode Island, and New Hampshire, reported in effect that the said catalogue was of too great value to be loaned; but that some facility should be afforded to dioceses for procuring the information contained in the catalogue of Bishop Burgess; that it would be well to create a permanent commission, composed of an equal number of Bishops, Clergy, and Laymen, who shall have power to control the archives of the Church and other articles belonging to the Convention, and to whom, during recess, application may be made for liberty to examine pamphlets or manuscripts according to rules which the commission might establish.

A resolution embodying such recommendations was adopted.

Rev. Dr. MASON—called attention to a resolution passed at the last General Convention with reference to preparing a new cycle, completing the present century, to be inserted in the table for finding Easter. It being uncertain whether the House of Bishops had taken action upon that resolution, at the last General Convention, Dr. Mason moved the adoption of the same resolution by this Convention.

Rev. Dr. MASON—submitted a resolution suggesting certain changes in the Metrical Psalms and the Hymns, as, in the 20th selection, 4th line, of 1st stanza the word "Thy" into "my"; in the 101st selection, in the 1st stanza, 3d line, the word "movably" to "movable"; in the 1st line, 3d stanza, Hymn 56, the change of the words "by Thine hour of dark despair"; in 160th Hymn, 4th line, of the 3d stanza, instead of the words "the sickening anguish of despair" the words "thy bitter griefs, thy harrowing care."

Which resolution was referred to the Committee on the Prayer Book.

Rev. Dr. MASON—offered a resolution, which he desired laid upon the table for the purpose of having it brought before the Committee on the Prayer Book; which was to the effect that the House of Bishops concur in the following changes to be made in the Book of Common Prayer: (1) That a semicolon be restored in the place of the present comma after the words Holy Catholic Church in the creed commonly called the Apostles' Creed; (2) That a comma be inserted after the words "the Holy Ghost the Lord" in the Nicene Creed; (3) That a comma be inserted after the word *Father* in the next line.

On motion of Rev. Dr. Mason, his resolution was laid upon the table, with the view, he said, that it might be printed in the Journal and be submitted to the consideration of the Church at large.

The Secretary, at the request of Rev. Dr. Howe, read the Rev. Dr. Coit's report from the joint Committee of the Convention of 1841, appointed to recommend a standard Prayer Book; which report, by motion of Rev. Dr. Hodges, was ordered to be printed as an appendix to the Journal of this Convention.

Rev. Dr. MASON—offered a resolution to the effect that the word Holy be inserted in the Nicene Creed, so as to read "one Holy Catholic Church."

Mr. TAZEWELL TAYLOR, of Virginia—offered the following resolution:

Resolved, That in the judgment of this Convention it is inexpedient to alter the Book of Common Prayer.

Mr. TODD—took the opportunity to make an explanation of his motive in offering his resolution some days since, with reference to the change in the Book of Common Prayer. It was not his wish that the Prayer Book should be altered in any sense; but he had heard so many intimations that it should be altered, that he thought the suggestion of the change should be made in the case of alteration; for, he did not believe that there was a member in this Convention that believed that the literal meaning of the words referred to in his resolution are the meaning of this Church—that the minister has any power to forgive or to retain sins.

Mr. TAYLOR:—The object of my resolution was at this stage of the session or of any session, to prevent a reference to any committee of any proposition to alter the Prayer Book; and the proposition which I have the



honor of submitting, does not interfere with the resolution adopted, directing the standing Committee to correct any typographical errors in the plates; they are corrected by the standard edition, as I understand it. The effect of the adoption of the resolution will be to stifle all these references to a committee. I think if you will look back to the past action of this Convention, you will find that almost invariably all efforts of this kind to alter the Prayer Book, have ended this way. One of my friends near me suggests that the distinguished Judge Chambers, whose memory we all revere as expressed in our resolutions, invariably pursued this course and invariably met with the approval of the Convention: I do not think there is any reason why we should undertake this work of reform. We have all seen learned Doctors disagree on this subject of alterations. It seems to me best to stand by the standard or there would be unending doubt and confusion. I have here a book which speaks of the Romanizing germs in this Prayer Book, and I would desire to put a stamp of disapprobation on this book and all other attempts to weaken the faith in the Prayer Book.

Hon. S. B. RUGGLES:—I think that the resolution of my much esteemed friend goes too far, because premature. I do not think this body is prepared to say, that the Prayer Book, however excellent it may be (and I yield to no man in admiring its perfection), is never to be changed. I will give a particular reason why we should not take this action—namely, the growing question of the unity of the Church throughout the world. It is perfectly well known that there is a large party in the Anglican and in this Church, that are desirous to bring about a union with the orthodox Greek Church; and the great impediment to that union is the existence of an interpolation by the Church of Rome in the Nicene Creed; and if we determine that this is not changeable we can never unite with the orthodox Greek Church. This was an interpolation by the Church of Rome, which has separated the Greek Church from the Anglican Church and our own; and if we declare that that interpolation shall forever remain, we shall decide in advance that we will never enter into union with those two Churches. I hope that the gentleman will not press his resolution.

Mr. TAYLOR:—I desire to say that it is not my wish to press the House to vote upon any question. With the consent of the House, I move that the proposition which I have submitted be laid on the table, to be called up on Wednesday morning.

This motion was adopted.

Hon. S. B. RUGGLES—offered the following resolution:

*Resolved*, That the Committee on the Prayer Book cause to be prepared, and report to the next General Convention, an accurate translation from the original Greek, of the creed, inserted in the Prayer Book as the Nicene Creed.

Adopted.

Mr. WELSH, offered the following resolution:

*Resolved*, That the Committee on the Domestic and Foreign Missionary Society and the Committee on Canons be constituted a committee to report to this House for its consideration such changes in the canons and also in the constitution of the Domestic and Foreign Missionary Society, as may be necessary to change the title of the Board of Missions, to the Missionary Council of the Protestant Episcopal Church in the United States of America, and to give that council high efficiency.

Adopted.

Mr. RUGGLES—offered a resolution (adopted), that the Secretary take the necessary measures to obtain returns from the several dioceses of matters required by Canon 15, and to insert the same in the printed copy of the Journal.

A resolution having been offered that the next Triennial Convention be held in Cincinnati—

Mr. WELSH—moved that the places for holding said Convention be now named, and the vote be taken tomorrow at 12 o'clock. Adopted.

Thereupon were suggested Philadelphia, Baltimore, Chicago, Louisville, and St. Louis.

Judge CONYNGHAM moved to take up the report of the Committee on Canons relative to Assistant Bishops—an amendment to section 5, Canon 13, Title 1. Motion agreed to.

Judge CONYNGHAM:—As the canon now stands no assistant-bishop can be elected until by reason of old age or other permanent cause the Bishop is unable to discharge his episcopal duties. We have valuable bishops in various dioceses of these United States, and I am disposed, if we can with the approbation of this House, to provide for the preservation of the health of those Bishops in the performance of their duties by giving them proper assistance so that their dioceses may be enabled to have the episcopal duties properly performed and yet the bishop be not broken down. A proper title of this canon would be—"To preserve the health and lives of valuable bishops." I think this canon would also meet many of the difficulties suggested in relation to the division of dioceses. It may be objected that this amendment would enable dioceses to multiply bishops and increase the episcopal representation of the diocese in the House of Bishops. We place the assistant-bishop in the House of Bishops and give him a vote except when his Bishop is present. It is to have no retrospective application; it applies to no assistant-bishop already elected. The bishops are not regarded particularly as the representatives of dioceses, but they come from dioceses and so far they represent dioceses. It might not seem to be exactly right to say that the assistant-bishop may vote when the bishop himself was present, either negating or doubling the vote of the Bishop. Under the present canon bishops are often unwilling to acknowledge themselves permanently infirm; no man likes to undervalue himself physically or mentally. This amendment will not only remove many difficulties sug-



gested the other day in relation to the division of dioceses, but preserve to the dioceses that now have them, valuable bishops.

Rev. Dr. ADAMS :—I believe I was the first person to point out the iniquity of this matter of assistant bishops, before the Church in Richmond, Va. It has been a universal principle of the Church from the earliest times that there shall be but one bishop in a diocese. History tells us that there was no assistant-bishop until the great Augustine was made assistant of Valerius; and when he became assistant he was so affronted by it, considering that he had broken the Nicene Canon that he appointed him bishop of a small place near him that he might not break down the canon. I think the principle of the Church is simply one bishop in one diocese. It is just as appropriate as one sun in one planetary system. This Church has adopted the principle that in case of permanent infirmity there shall be an assistant-bishop. The canon is loosely interpreted and thereby bishops of one stripe or another are enabled to perpetuate their principles, and to put down upon the diocese as an assistant a successor who certainly would not be elected if left to the natural course of affairs. I would say that the bishop is unquestionably the most influential man in the diocese; and, by the urgent exercise of authority can control the elections, thus destroying freedom of election; and any clergyman or any layman is put in the position of either voting for the bishop's choice or of being proscribed. Indeed, the whole matter of assistant bishops is simply a matter of destroying the freedom of elections, and the assistant is simply anti-church iniquity. It is perfectly just that the bishop should have an assistant when he is incapacitated by old age or other permanent cause of infirmity. But look at the bishops that have assistant-bishops. Are they incapable? Certainly not. We have several bishops that have assistants who are as lively men as any that we have; the result is a breach of ecclesiastical order; you have two bishops in one diocese—two suns in one system. The matter of assistant-bishops ought to be regulated, but in a different way from that proposed. Casting away the ground of permanent disability and substituting the idea of assistants to preserve "valuable lives," will simply develop this iniquity. I know a man at present that has an assistant, and every time they meet both in good health, they must smile at one another, and feel that they have done something not exactly right. There are a good many bishops who have "valuable lives," that will want assistants.

Judge BATTLE :—My learned friend compares the bishops to the sun of the solar system. We have now a provision that in case of old age or other permanent infirmity there shall be an assistant-bishop. I have no objection that if the sun in the solar system should get so old and infirm that it could not afford us the necessary warmth, we should have another sun. I have no objections to two suns if one will not answer the purpose.

There is no proposition before the Convention to do away with all assistant-bishops; they are already provided for; and therefore all remarks to that intent are beside the question. If there are to be no assistant-bishops, because there can be but one sun in the system, then, sir, we must strike them out; but as there are cases in which even that gentleman admits we must have assistant bishops, I suppose every body recognizes the necessity. The proposed change goes thus far and no further. It provides that in case that it is seen that the health of a bishop is about to be broken down, permanently impaired, by the onerous duties devolved upon him, he should be saved from the condition of permanent infirmity. I was sorry to see my learned friend cast any reflections on the bishops, by saying that they would have assistants without need. He instanced a case in which he said the bishop and his assistant could hardly meet without smiling at each other [for the supposed pretence of incapacity]. It might well be supposed that the election of the assistant-bishop has been the means of restoring the health of the old bishop. Shall we complain of that? Ought we not rather to rejoice at it? What has taken place *ex post facto* ought not to have any effect.

Judge OTIS—I assume from what our learned friend, Dr. Adams, has said that assistant bishops are lawful, and have been for a long time. Large dioceses cannot be divided sometimes and it is provided that no city, though large, shall constitute more than one diocese, and this amendment gives the bishops needed assistants when the episcopal duties threaten to break down their health.

Mr. WELSH, of Pa., was opposed to the amendment as likely to give two heads to the diocese; and nothing but the utmost discretion of the old bishop would save the diocese from faction and anarchy; and it would give the Diocesan Convention opportunity for worrying the bishop into the acceptance of an assistant, or resigning.

Rev. Dr. SHELTON—was in favor of deferring the suggested action. The emergency had not arisen for assistant bishops to share the episcopal duties of dioceses too large, as ultimately in cities.

Rev. Mr. MARPLE—had lived in a diocese where the bishop and his assistant were alike welcomed in all parts of the diocese, and no difficulty between themselves or between them and the clergy or laity. The proposed system was justified by experience, and the anticipated discord disproved. He was not in favor of one of the propositions of the proposed amendment; he would like to have the assistant have a vote in the House of Bishops under all circumstances, not as representing a diocese, but in right of his office as a bishop.

Rev. Dr. ANDREWS—said that during the last 30 years there had been assistant bishops in the Diocese of Virginia, and all those years had been years of undivided harmony. So far as experience there went, it did not justify the apprehension that the bishop could con-

trol the election of the assistant against the free votes of the clergy and laity.

Rev. Dr. HAIGHT—believed that the election of assistant bishops arose from a felt want, and the practice would therefore continue, do what we will. His doctrine was that the true line for the legislation of the Church was to take things as they are and not certain men's opinions of what they should be.

Rev. Dr. SHELTON, of Western New York—said the need of one bishop should be supplied by other bishops having less duties, and not by appointing assistant bishops. It is not absolutely necessary we should push this matter. (Rev. Dr. Haight. We are not pushing it.) I don't know what you call pushing; you are urging it with all your might. (laughter).

Rev. Dr. HODGES—did not think it necessary to adopt special legislation to suit the sensitiveness of some bishops to availing themselves of the present law as to disability. No legislation could go to the point of the particular degree of sensitiveness of our bishops. There is nothing urged to show the necessity of the change, and the only provision made is that it is going to appear beforehand to the convention that their bishop is going to be permanently broken down. (laughter).

Rev. Mr. ROGERS—opposed the amendment. He could conceive of a case where a shrewd managing active bishop having made up his mind that he wants an assistant—a particular man for assistant and successor—in a single round could bring his influence so to bear upon the diocese that when the convention met, his chosen man nominated as pre-arranged, should be elected against the judgment of the convention. On the other hand, in some cases, two or three shrewd managing presbyters could worry the bishop into acceptance of whomsoever they desired to have as assistant, or crowd him from his office. He did not believe there was a bishop in the world who could stand against the active opposition of his clergy. A lawyer would go on with his business till he could do so no longer, and then tell his clients so. The bishop should do as the lawyer. The law as it is should remain.

Rev. Dr. MEAD, of Connecticut:—I have been somewhat surprised at the course of the argument which some gentlemen have taken in relation to this matter, which is utterly at variance with my own observation and experience. One gentleman tells us that one great danger will be that the bishop will in effect appoint his own successor. I have never known an instance where even a man with the whole influence of Bishop White could have a successor appointed. But how does the argument go? One gentleman in one sentence will tell us that the bishop will succeed in appointing his successor, and in the next breath, that by pressure an assistant will be forced upon the bishop in spite of himself. I have lived long enough to know that the great error or the great tendency in our Church is not to crowd bishops but to worship them. Let me tell you that any

Presbyter who will attempt to crowd them will find that he is playing with edged tools. I could name one who tried it, who said, "I care not what a bishop will do; I meddled with one and I will take care how I meddle with another." I have no apprehension that bishops will be crowded by the Diocesan Conventions. I know this one thing: that the one-man power of bishops in the dioceses makes his little fingers more powerful than the loins of all his clergy and laity. Under these circumstances are we to fear taking away that which I hold to be a snare to the consciences of bishops? Bishops will stretch a point in the interpretation of a canon as it now stands in respect to the "permanent cause," especially when they are not required to submit to the examination of physicians but to decide the question for themselves. We know that as men advance a little in life they are apt to become a little wheezy and imagine that many difficulties exist which do not in reality. The canon as it now stands is a snare to the consciences of some bishops. In the case where there is an unwillingness to divide dioceses and the duties are too onerous, the amendment allows the appointment of an assistant to save the bishop from disability by overtaxing duties. There is an unwillingness to divide my own diocese. Yet I see my Bishop is every day becoming prematurely an old man from the pressure of his duties; but he cannot under the present canon ask for an assistant; yet I have no doubt that many in the diocese believe that it would be an advantage to the diocese as well as to the Bishop, to have an assistant, though he has no permanent cause of infirmity at the present time. I will go to the Diocese of Pennsylvania. We have recently known that in the providence of God the good bishop of that diocese met with a railroad accident which has undoubtedly injured if not shattered his constitution. Through the goodness of God, and by being permitted to go abroad, he is somewhat restored to health. At the last action of the diocese the proposition to divide the diocese failed. Now are you going to leave that bishop to be crushed by the duties of a large diocese, when, if he had the opportunity, with his own consent and with the action of the Convention, to appoint an assistant he might last for the Church for years?

Judge BATTLE:—I do not wish to be considered as making a second speech. I rise simply for the purpose of entering my solemn protest against any argument being used in this House on the supposition that our Bishops are or ever will be dishonest and demagogues, that our Convention will be composed of men no better than they should be.

Rev. E. T. PERKINS, of Kentucky:—I do not propose to make a speech. I call for a division of the question now before us. For one I want to express an alarm which I feel because of the influences and representations we have here in this House. It has been my good fortune since I have been in the ministry to be



under Bishops who were Christian men, and to be associated with ministers who were Christian gentlemen. Now, the great danger seems to be that this Church is to have a parcel of shrewd, managing men as Bishops, and shrewd managing men as their Presbyters. I am not willing to believe that such is the case with men who occupy high positions in this Church. If this is true there is only one order in this Church for which I should have any respect—the Deacons. I have not heard a word against them. I wish to call for a division of the question. I am in favor of the first amendment proposed, but I am not in favor of the last. I move to strike out the last provision (that the assistant-Bishop shall not vote when his Bishop is present).

The motion to strike out was lost.

The question then recurred upon the adoption of the resolution of the amendment; when, after a division, it was adopted, by ayes 89, noes 84.

On motion of Rev. Dr. HODGES, the message of the House of Bishops, with reference to clerical union with the Canadian Church, was referred to the Committee on Canons.

On motion of Judge COMSTOCK, the sessions of the House were fixed from 10 to 5, with a recess from 1 to 2.

On motion of Rev. Dr. HUBBARD, the resolution reported by the Committee on the Prayer Book was referred to the Committee on Canons.

On motion of Rev. Dr. HUBBARD, the following resolution was adopted.

Resolved, that the joint standing Committee on the Prayer Book be authorized to consider and report to the next General Convention on questions relating to the proper pointing of the standard Prayer Book, and the restoration of the words left out of said book by mere clerical error.

On motion of Rev. Dr. GOODWIN, there was referred to the same committee, to consider, the punctuation of the quotation from Jeremiah in the Epistle for Good Friday.

Rev. Dr. HODGES—called the attention of the House to the report No. 11 of the Committee on Canons with reference to persons not ministers, officiating. The committee reported that the proposed action was inexpedient and asked to be discharged from the further consideration of the subject. He then moved that the report be recommitted, together with a new resolution containing a new form for the amendment.

He then, as required in moving a recommitment, gave his reasons for so doing.

Rev. Mr. PETERKIN, of Virginia,—opposed the recommitment, insisting that the canon as it now stands is all that is required, if properly interpreted.

The recommitment was then agreed to,

Adjourned to to-morrow morning at 10 o'clock.

## TWELFTH DAY'S PROCEEDINGS,

Morning Prayer was said by the Rev. Henry N. Pierce, D. D., of Alabama, and the Rev. Edward Ballard, D. D., of Maine. The Benediction was pronounced by the Rt. Rev. John B. Kerfoot, D. D., LL. D., of Pittsburgh.

The minutes of yesterday's proceedings were read and approved.

The Rev. Dr. HOWE from the Committee on Canons made the following report:

The Committee on Canons to whom was referred certain resolutions of the Diocese of Pennsylvania, touching the examination of Candidates for Holy Orders, beg leave to report that they recommend the adoption of the following amendment of Canon 5, Section 8, Title I, and the adoption of the following resolution:

Resolved, The House of Bishops concurring, that Canon 5 of Title I, is hereby amended by the addition of the following section, to be numbered section 8.

1. All examinations of Candidates for Holy Orders shall consist in part of written questions and answers; and the manuscripts shall be preserved in the Episcopal archives of the dioceses in which such examinations are respectively held.

2. Examinations of Candidates for Priestly Orders shall, unless the Bishop in any case remit the rule, be extended through parts of three days.

3. For the conduct of examinations at which the Bishop of the diocese is not personally present, it shall be his duty to appoint a permanent committee for his diocese or the different districts thereof, or, if he so prefer, one presbyter as an examining chaplain, who, with two other presbyters appointed for each occasion, shall conduct the examination.

Rev. Dr. HOWE:—The motive for the suggestion of the passage of such a canon has been a conviction in the minds of many in our diocese, and I think also in other dioceses, that examinations are very imperfect and insufficient; and the fact that a man has the necessary certificate that he has passed his examinations, by no means proves that he has passed them in such wise as he ought to have been passed. This canon is for the purpose of exacting a more certain preparation for the admission to the holy ministry. (In answer to an inquiry) It amends the canon in one sense; it adds a section at the close of it. (In answer to inquiry as to object of keeping the manuscript examination). The object is that if any candidate is rejected, the written documents may be on hand to show that his examination was an imperfect one.

Rev. Mr. GADSDEN—said that the provision for three examiners might be well in some sections of the country, but would occasion great difficulty in dioceses where the population is scattered. This binds the Church to a certain mode of examination where it is now left free. The Bishop may now make provision most convenient to himself and his presbyters.



Rev. Dr. STUBBS:—I think the objection offered by the deputy from South Carolina has some force. I do not think it is becoming for this body to go into details of that kind. It should be left to the Bishops acting with the advice of their presbyters. Why should we meddle with details of that kind? The conditions of dioceses are so different that it seems inexpedient to legislate upon this subject. We should legislate upon general principles and let these matters of detail be managed by the Bishop of the diocese with his clergy. What is of more consequence and what the canon does not provide for, is an examination on doctrine—that no person shall be allowed to enter the ministry, unless he passes a satisfactory examination on doctrine. Our great difficulty is that men are ordained priests who do not believe in the doctrines and sacraments which as priests they are to teach and administer. Do not let us go into details of this kind which cannot be complied with.

Rev. Dr. HOWE:—In the seventh section of the canon as it now stands it is provided that there shall be “three examinations at such times and places”—and the topics that shall be under consideration at these several examinations are afterward specified. This proposed section which I have had the honor to submit only provides that these examinations shall not all be crowded into one, unless the Bishop for special reasons remits the rule. It provides that there shall be three examinations literally, as by the previous section of the canon which has been long established.

Rev. Mr. ROGERS, of Texas:—I should be in favor of these provisions provided all the examinations were to be about the centres. In my own parish to-day there is a candidate for orders. If the committee were to be appointed at Galveston or Houston, he must travel from 165 to 200 miles to get his examination. If on the other hand they are appointed in the vicinity of Austin, there a minister must go 90 miles one way and 90 miles the other to examine him. I cannot well see how that rule can be complied with in my diocese. If we had a candidate for orders in the northern part of the diocese, and the committee in our region, he might be compelled to travel from 300 to 500 miles. But when the Bishop can take a clergyman with him then these examinations can be in any part of the state without much travelling. It would operate very hardly in our case and might in others.

Rev. Dr. HAIGHT:—Having had long experience in this matter of the examination of candidates for orders, I beg leave to say that, in my judgment, this is one of the most important matters that will come before this House during its present session; for I have no hesitation in saying, and I think that most of those on the floor of this House who have had experience as examiners, will have no hesitation in saying—that of all the shams ever seen the greatest are examinations for candidates for orders. Examinations have been held where the three

examinations have been crowded into one. I have thought of the subject with shame and regret that this Church should tolerate this thing. You may say it is in the hands of the bishop. That is very well, but the bishop is often called upon to have reference to the convenience of candidates and of the clergy; and it requires some specific legislation to regulate examinations. Either let us have no examinations at all, or let them be real. As to the remarks of my brother from New Jersey, as to examination on doctrine, I entirely concur; but this canon coincides with his views, and will strengthen his purpose; because if you have one or two presbyters charged with the examination of candidates for Holy Orders, they will be prepared, and the candidates will find they have to deal with those who know what they are about. I remember perfectly well the horror depicted on the countenances of two or three candidates in this diocese, when presenting themselves for examination. The Bishop was not well, and, at his request, I conducted the examination for the priesthood. Shortly afterward came up the examination for the diaconate. Said one of the examiners, “We will take a short course in the Thirty-nine Articles.” He then drew from his pocket a little memorandum book, and proceeded with the examination, the result of which was that one of the candidates was put back. His only reply was: “What shall I do? I have got my surplice to preach next Sunday.” Candidates who feel that before they are ordained they have to pass another ordeal on the part of those who are charged with the solemn duty of an examination, would not come up here so illy prepared.

Rev. Dr. STUBBS:—We all concur with the views just expressed by the reverend gentleman of the Committee on Canons. I am sorry to hear such a confession with reference to New York. What I object to is this, that certain details are presented which can not be complied with in different parts of the country.

A DEPUTY.—Is not this whole thing already in the hands of the bishop? I see a great many things that can be said against this canon. For instance, a bishop of one diocese may have peculiar views; and a student of his views would be considered as prepared; but if he should not be *au fait* in another school of theology, he might be rejected. Bishops already have this whole matter under their control.

The Rev. Dr. GOODWIN.—There is one idea in connection with this subject which seems not to have been brought forward, and that is, that the whole Church of the United States is interested in the examination of candidates in each diocese. It is not the particular diocese alone wherein the examination takes place that is interested in the proper qualifications of the candidate who is to be ordained to the ministry. That man, if he is ordained a priest, may go to any part of the United States as a priest of this Church. We are all therefore interested that the examinations in every way should be

sufficient. It is not proposed to interfere with the bishops at all; and so far as the bishop actually attends personally to the examinations in the diocese, we leave the bishop of each diocese to determine who shall be a deacon or a priest. But the trouble is, that by this power to appoint a committee of presbyters to conduct the examination, the responsibility is thrown from him, and then afterwards we cannot find where the responsibility is when an incompetent priest is found in the ministry. This amendment to the canon puts it in his way to adopt this method of having a permanent committee, or a permanent chaplain, or something of that kind, that shall secure proper examinations. Then, as for the examination being in part in writing, if the wrong man is found to be in the ministry, there is the record of his examination, under which he was admitted by his bishop. The record is intended to protect the whole Church and make the examiners responsible; the record is there against them if they admit an incompetent man, or reject a man who passes a good examination. As to the number of examiners, the difficulty suggested by the delegate from the Diocese of Texas is for Texas and some other dioceses an important one, but is it not as great now? The bishop must have two presbyters with him when he examines candidates for priests' orders, unless you alter the canon that now exists. I call the attention of the Convention to this point, that as the canon now stands the bishop must have two presbyters with him; I do not see why his substituted committee should not be three presbyters; but I agree with the proposition of the committee that it should be reduced to one if that should be thought best.

Rev. Mr. GADSDEN, of South Carolina.—I am not satisfied with the explanation of the committee with regard to the preservation of papers. I think there is scarcely any man on this floor who will be disposed to say that when he was examined for Deacons' or Priests' orders he had attained to that ripeness in theological lore that he would be willing to stand on his first examination. Are we to suppose that candidates at first are prepared thoroughly on all theological matters, and that a record should be kept against them; and notwithstanding their minds may enlarge and they attain profounder views, are they to be referred back to their first step? It is impossible that the ecclesiastical study that any one can give to theology for three years can at all compass the immense field that lies in every part of it. If you fix a limit to the time for which these records shall be preserved, so that if the candidate should be unjustly dealt with, an appeal might lie, then the record would be useful, though I do not see how an appeal could be taken. If they are to be kept as records which are always to be referred to, you may have a gentleman who had some crude notions when he was ordained, who may have his written examination brought forth and arrayed against him, when in fact he has entirely reviewed the subject, and taken broader, wiser, and more scriptural views.

I object to any such cast iron plan as this, by which we are to be fastened down to one particular system, and by which the candidate's written examination is to be his record through all his ministry. I am in favor of one chaplain and an assistant. I have known candidates fail to be examined on account of the failure of some members of the examining committee to be present—a difficulty that is increased by having three examiners. I think it is unwise to fix ourselves upon any absolute system from which we cannot depart. Then, again, have you any assurance at all that the Bishops are going to accept this? They are charged with this matter. At last the responsibility rests with the Bishop. The presbyters united with him in the examination are called in to assist him, but at last they cannot force him to ordain and they cannot hinder him from ordaining. Where is the reason or use of absolutely fixing a system from which there can be no departure, and which may lead to great inconvenience, and which cannot result in preventing an ordination or forcing it. I trust this canon will not pass. I believe the system as now arranged is far more suitable, especially to that part of the country from which I come.

Mr. ———.—I was about to touch upon the same points as those treated of by the deputy from South Carolina. I will add one other suggestion, that is, the difficulty of keeping in the archives so many worthless papers. If they are to be kept from generation to generation, what shall we do for the accommodation of these papers? There they are only as a nuisance in the way of anybody who wishes to look through the Episcopal archives. I approve of all the other part of this canon. I approve especially of the examination being in writing; but after ordination has passed away, what possible purpose can these papers serve except to be in the way of the Bishop and other parties examining the archives of the Church? I move to amend the report of the committee by striking out of the first section the words "and the manuscripts prepared therein shall be preserved in the episcopal archives of the diocese in which such examinations are respectively held."

Dr. G. C. SHATTUCK—referred to his experience as to the examination of students of medicine. He thought as great care should be taken in the examination of candidates for the ministry as in the examination of persons to be admitted to the practice of medicine. We always have a written examination and keep it. We have those written proofs to hold up for years as a justification for our admitting them to practice medicine. They show that when a man has studied three years he knows a little something. Whenever an examination is called in question, we have the papers to refer to, to show that the person was qualified to receive the degree of a doctor of medicine. We do not consider that a person is qualified without passing a satisfactory examination before six or eight persons.

Rev. Dr. HARE:—It has ever been the custom of this



Church to establish rules by which the bishop must be governed with regard to persons to be ordained. Among the other specific rules that we have in relation to this matter, is this: "The examination must take place in the presence of the bishop and two or more presbyters." I presume there can be no doubt that if a bishop should undertake to ordain any candidate to the ministry without an examination conducted by presbyters as well as by himself, he would be liable to degradation for this plain violation of the canon. This is enough to show that it is competent for this House to legislate in regard to the matter of examinations. The object of the canons throughout seems to be the obtaining of right doctrine on the part of persons to be ordained. Their object seems to be *also* to see that these persons shall be well qualified to teach those doctrines to the people.

In order to secure this end is it not most desirable that the candidate for the ministry should look forward to an examination as an important thing? That which the Rev. Dr. Haight has said with regard to the Diocese of New York is certainly not peculiar to that diocese. It belongs to the diocese in which I live; and I fear it belongs to the dioceses generally; persons appointed to examine not having been accustomed to such work, fail to perform it in the most effectual manner. They have little time to prepare for it, and when the examination comes on they are rather afraid, in some instances, of coming to close quarters with a student. Very frequently it happens that a person appointed to examine, has lately had his mind occupied with some out-of-the-way topic, and is for the time riding that as a hobby; and although it is a matter simply of private opinion, he occupies the time of the board with the discussion of this matter. When I was examined, many years ago, for orders, two reverend presbyters who conducted the examination, almost at the beginning of the hour which was given to the subject of the evidences of christianity, began a dispute among themselves with regard to the sufficiency of Campbell's answer to Hume in the matter of miracles. This discussion occupied the whole hour; and I went from the examination scot-free; as a young man would do, I told this far and wide; and who can doubt that the effect was to cause students to look forward to an examination as a trifle. That which the Rev. Dr. Haight alleged, is true. Examinations are too often sham and an injury to the Church. It is altogether in our power, if not to prevent, at least to diminish, this crying evil.

Mr.————. We hear strange things in these two large cities. I do not believe that the evils which we have heard of here, exist throughout the land, by any means. I am sure they do not exist in every diocese. I can see evil attendant upon the bishop being allowed to appoint a chaplain to examine all candidates. We all know that every bishop is likely to be particular upon some points that are by no means es-

sential to a minister's usefulness in the Church of God. I am free to say that I knew more about some great doctrines when I first entered the ministry than I know now. I recollect a young man who came into the Diocese of Kentucky and preached, in the presence of one of our most experienced presbyters, his first sermon. Said I: "What do you think of this man's preaching? Do you think he is qualified for such a position?" "I do not know: he has settled, I believe, to his own satisfaction, that great doctrine of justification by faith in his first sermon. I have observed that young men take up that doctrine or some other great doctrine and settle it the first time they preach." Suppose a young man comes before a chaplain and the chaplain has some peculiar views on some subject, perhaps some one that is the subject of dispute. Because he passes a good examination on that subject, at least to the satisfaction of the chaplain, he is admitted into the ministry, and at last it appears that he is not a practical man; that he is a man of theory rather than practice. I see evils connected with this recommendation. To my own mind there are great evils, and I much prefer to leave the matter as it is. I do not believe that all examinations are sham. If they are in New York and Pennsylvania—and I trust they are not here—I know very well for one that my own theological knowledge was put to a severe test, though I thought when I began that I knew a great deal. I for one am not prepared to vote for that amendment; I am prepared therefore to move the indefinite postponement of that canon.

Another DEPUTY:—I desire to speak a moment or two upon this great question. I very heartily approve of and endorse the report of this Committee on Canons; and I do hope from the depths of my soul that it, with some slight amendment, will pass the House. We must all concur in one thing, and that is the need of the elevation of the standard of admission of candidates into our ministry. It must be admitted by the different members of this House who have had anything to do with the examination of candidates for the ministry, that, in a fearful number of cases, it amounts to little more than a sham, when it ought to be made an intense reality. I therefore heartily concur in the report of the committee just submitted to this House, with one slight departure therefrom, made by the member sitting by my side with reference to the indefinite preservation of written answers. I heartily approve, as I am sure the wisdom of this House must approve of the examination being a written one; but I fail to see the wisdom of preserving those written documents after the examination is ended.

Rev. Mr. CORBETT supposed that every presbyter on the floor of the House found the examination all sufficient when brought up for examination. He had conversed, not long since, with the professor of one of the theological seminaries, and he made this remark, that



those who passed the best examination were not by any means those who were the most successful in winning souls to Christ when they went out into the Lord's vineyard.

Rev. Dr. SHELTON:—I wish to say that I hope that everything will be done that can be done on the part of this House to dignify the examinations of our young men. I wish to solemnize that event. I wish to have it done in the most solemn manner; and as to individual clergymen who have not paid any particular attention to the examination of students, it is most incompetent for them to conduct examinations. I do say there ought to be a settled body of men whose business it should be to prepare themselves for it. To take an ordinary country clergyman, or a city clergyman that has not paid any particular attention to these things, and call upon him to make an examination of a young man for the ministry—I won't say that it is impossible for him to do it; but I do say that gentlemen who are prepared for it, and who have made a business of preparing themselves for it, will do it much better. Then, again, when young men are required to put their answers in writing it is altogether a more solemn act, and one which they would more dread. They ought to be prepared to do these things, and I believe it would be the means of advancement in our theological education if carried thoroughly into effect.

Rev. Mr. MARPLE—said that he had not liked this canon in many respects, but that the arguments used against it made him think he was mistaken in not liking it. He did not believe that it was a fact that those who passed the poorest examinations turned out the best men. He did not believe anything of the kind, but he believed with Macaulay, that it will be found to be true that those first in the competition of schools are found to be the first in the competition of life. It will be found to be equally true in reference to the Church, and he hoped that the idea would never go abroad that the poorer the examination the better the minister.

Mr. WELSH:—I have heard nothing from the Laity upon this subject, who are somewhat interested in it. I think the Laity are deeply interested, because either we are to have a local Church or a general Church. It is true that the dioceses differ; and that is the very reason why we should have a general canon to insure uniformity. Sometimes a young man who cannot pass an examination in one diocese will go into another and be admitted and then come back. There is one thing that makes me exceedingly anxious that this very provision as reported by the committee should be carried out. If there is any peculiarity in the Episcopal Church it is, that she does require her ministry to be thoroughly educated. There is not a congregation that has not some educated persons in it who cannot be administered to by those who are murdering the King's English all the time. We need skilful leaders, and the day is coming when the Laity will marshal around these lead-

ers and do a work never done before. If we are to have these ill-trained ministers thrust into the ministry, we shall be sowing the wind and reaping the whirlwind; and we shall be bringing ourselves down below many other religious bodies that have advantages over us in that department. I do hope that this canon will pass with all its provisions; and let all young men preparing for the ministry know that the examination is to be thorough and they will prepare themselves for it. Now there is a disposition to squeeze them through too rapidly, and I do not wonder at the Bishops passing them when they see they are so much needed. The Deputy from Massachusetts spoke of the examination of medical students: I know that in medical colleges it is seldom when a man has paid for his tickets that he is turned back; some I know are; but from the want of skill of a good many who enter the profession I premise the difficulty is the other way. So I think we need to throw guards around us, seeing there is so earnest a desire on the part of the Bishops to have more clergymen.

Rev. Mr. GASMANN, of Nebraska:—I would like to say one word upon this subject. I think we had better let well enough alone. The Church in this country has gone on well with the present canon, and is going on well. The dangers spoken of, I think, are more imaginary than real. As for the examinations being sham, if they have been sham and have admitted the men that are now serving in the ministry of the Church, I say, for one, let them continue to be shams. If we, by a sham examination, can admit such men as we have serving in the ministry of the Church of God in this country, I say let the canon stand. We do not want to make the fence any higher over which our young men have to walk in order to enter the ministry. We do not want to add one bar to it. I remember well the time when I was led up to be examined. It was no sham. We have heard about a classically educated ministry. Now, sir, I say this, that it is time, when this great continent is crying to us for men able to preach the Gospel of Christ, that we should not add to the difficulties in the way of men entering the ministry. If it is possible, we should even make it easier than it is. There are young men who would fail to stand an examination on doctrines, and yet, who would do so if examined in the Word of God, and that is what is to be preached, be the congregation never so refined. I, for one, in all humility, would say that the latter should not be prevented from entering upon the work. I fully appreciate an educated ministry, but there is such a thing as going too far in that matter; there is such a thing as being too particular and too nice in this matter; and it has often been said with regard to our Church, and there is some truth in it, that it is dying of respectability. I tell you, gentlemen, we have to wake up to one thing and one fact, and it is this, that if we could have a little more unction in our hearts, if we could have a little more of the spirit of

Wesley in our hearts, we would do well, and, in many respects, be improved. I am perfectly aware that at times young men have been admitted to the ministry who ought not to be there; but make your canons as strong as you please; make your committees as learned as you please, you will have the same difficulties to contend with. There always will be men entering the ministry who will be unfit for it. Remember that when the committee of examination consisted of the Lord Himself, Judas was one of the twelve. You cannot guard against this thing; and you simply—be it spoken with all humility—keep out of the ministry men who ought to enter it, and you will admit men, because of their scholastic capacity, who ought never to enter therein.

Rev. Dr. J. T. WHEAT, of Tennessee:—May I be allowed to say, in the hearing of this Convention, that in more than forty years in the ministry, it is the result of my observation and experience, that the danger is much greater in the way of affording increased facilities than in the way of restraint? I am fully persuaded in my own mind that I ought not to have been admitted, for want of proper qualifications, when I was. I do think it would have been better for me if I had been kept three years longer preparing for the ministry. I look back upon my first efforts in the ministry with the recollection that the examination was not sufficiently thorough—that I was admitted without the requisite qualifications. And I recollect that St. Paul after his miraculous conversion, spent three whole years in Arabia before he thought it expedient to enter the ministry; and I recollect that our blessed Lord Himself was thirty years of age before He entered the ministry. I do believe that the Church has suffered and will continue to suffer from the exercise of the ministry by inexperienced and incompetent persons. I meant, in reference to my own case, to say that in these latter years of my ministry I have learned that it is better that a man, before he is put into a responsible position, as a teacher and guide for others, should have a matured character and mind. I have not reference so much to scholastic attainments, though the most thorough course of academic studies, it seems to me, is almost indispensable to discharge the duties of the ministry; and I am in favor of the canon, as reported by the committee. I am in favor of hedging around, by even still greater hindrances, the entrance into the ministry of the Church, of persons not properly qualified.

Mr. ———:—I am sorry to say that I am not in favor of the canon. It is true that it is a great and important thing for every minister of the Church to be a profound scholar, a profound theologian; and that must be taken care of in regard to some of the great and important positions in the Church; but, sir, we can learn from our enemies. The Romish Church boasts, with some measure of truth, that they insist on the highest culture of their priests. But it is well to know that they

have priests who are ignorant men, and who are sent out because adapted to the location to which they are sent. They mingle with the ignorant and teach them, and are some of the most important men, in point of practical work, in the church. It is the same with the Methodist Church. Some of its most efficient men are those who never learned Greek or Latin, and who are distinguished for their eloquence and for their power in bringing souls to Christ. There is truth on both sides of the argument, and truth very well uttered; but this should be considered, that the Church should have its heavy artillery and its light artillery; we should have men of the most profound erudition, who are most profound theologians; and then we should have men who, though not classically educated, are practical, of sound judgment, and who can, of course, speak the King's English properly. It is a common thing to find men who have not time nor means to go to college to learn Hebrew, Greek and Latin—men of fine judgment, passable English scholars, fine speakers, and who are very familiar with the plain English Bible. These men would be wholly excluded from the Church if you built up any higher the walls of restriction around the ministry; and I therefore do hope that this canon will not be adopted. Let us have men of the profoundest scholarship and theological knowledge on the one side; and let us have men of less attainments, but men of ability and of earnest hearts to go forth everywhere. As soon as you have these requirements, that every man shall be a scholar and pass an examination as a scholar before he can go into the ministry, there is a large body of earnest men looking towards the ministry who will be shut out.

The Rev. Dr. MEAD, of Connecticut:—While the gentleman has been giving his views of the subject, the thought occurred to me that if many of our presbyters were sent back to their studies to learn what the canons teach, we should be saved long speeches. The gentleman has referred to a point which is already provided for by the canons. Let him, with any other presbyter, sign a testimonial to the effect that they believe a man possesses extraordinary qualifications, and their certificate is equivalent for that man to a diploma. Do you want to change that? We want ministers of the Gospel, but, as a certain Bishop once said to a very incompetent man, "you ought not to go." "The Lord hath need of me," said the examinee. "Ah! I believe He once wanted an ass, but we do not want them in this Church." [Laughter.] The object of this amendment is to strengthen the hands of the Bishops in the examination of those who have full qualifications, those who come before the Examining Committee with a diploma, or an examination equivalent to that; men who come, perhaps, with a second diploma, from the Theological Seminary. In the diocese from which this amendment originated, I once lived awhile. I saw then examinations fully as rigid as any I have known. I remember



one instance, at least, where a gentleman presented himself for examination, with the parchment of the General Theological Seminary, and we had, in conscience, to say, "It is necessary, on some branches, you go back to your studies again;" and we sent him back before we would pass him. It has been alleged that the Bishop, albeit he is required to examine with the presbyters, can ordain a candidate in spite of them, in spite even of the Standing Committee; but let any Bishop ordain a man that has been rejected by the examining presbyters, and he will find himself subjected to trial for the violation of the canons. I attended one examination under these circumstances, at the time when our canons required what they do not now require, that is, that the candidate with full qualifications should, before he was passed, give an account of his faith in the Latin tongue. The examination took place in the city of Philadelphia. Two of the examiners have since been Bishops of the Church; one, the aged and venerable Bishop of Wisconsin; myself, the third; and another, the saintly Montgomery. The Bishop told us he had appointed the next day for the ordination, and had given notice of it. We examined the man in various matters, and we required him to give account of his faith in the Latin tongue. It was an amusing thing. He had looked into a Latin dictionary and had selected the origin of the words, nouns in their first case, and verbs in the first person, singular indicative; in that manner he had made out something like the Latin sentence, *Gallus tuus ego et nunquam animus*. [Laughter.] My brethren sat, not knowing what to do. The Bishop asked our opinion with regard to the examination. I waited for them; they said nothing. Said I: "Bishop, I sit here as an examiner, feeling the responsibility of my act to Christ and the Church. I have a conscience; and if you had, tenfold more than you have done, committed yourself, I must say, before God and you, I cannot pass this man." So said every one of them. This man was a bush-lawyer in Pennsylvania. He was sent back, and never disgraced the Church by going into holy orders. If a practising physician wants to enter the government service as surgeon in the army or navy, what course is pursued? That man is shut up for hours, and written questions are put to him and he has to give written answers, without books; and oftentimes in the case of thirty or forty examinees, perhaps, but five can stand the examination, and be considered qualified to go and take care of the health of the soldiers and sailors of our country. Now, shall those to whom is committed the charge of inquiring who is worthy to represent Christ in His visible Church on earth, be totally reckless in their examinations of candidates, and open the doors so wide that we shall not merely have the Gospel preached as foolishness, but foolish preaching of the Gospel? I hope this canon will commend itself, not only to common sense, but to the love of the Church and of its Head, and that we shall vote in the fear of God.

Judge CONYNGHAM:—I believe that there are some observations made by those opposed to the amendment to the canon that do not relate to the question before the House. The standard of education, the character of the education required for admission to the ministry is not affected by this canon.

The simple question is whether you shall devise means that will surely bring out upon the examination whether the candidate reaches that standard or not. That is the point in hand, and that alone. I do not see that this affects, in any way, the standard already fixed by the canon; but it merely fixes the mode by which the applicant is brought up to the standard. Reference has been made to the proceedings in some other professions. I will say something with regard to the admission of law students to the bar. A motion was formerly made in the court, and it was made known that an individual had applied for admission. During the session of the court a committee was appointed, and they met in the presence of the judge, and some few questions were asked, and the person was admitted, if his examination proved satisfactory. Afterwards it became necessary to appoint a standing committee, to whom the applicant applied; he is thoroughly examined then; and there is no application made before the judge until the committee has inquired into his qualifications; and if there is any difficulty, he is sent back to pursue his studies.

MR. CHAS. C. TROWBRIDGE:—As I am aware that many lay members of this House are new members, and may not have had as much experience upon this subject as I have had, I beg to state my own experience as the secretary of a Standing Committee of a Western diocese for 30 years past, without interruption. My experience is that, in that diocese it has been the duty of the Standing Committee, from time to time, to protest against the attempts (innocently, in most cases) of zealous clergymen to introduce into the ministry persons who were not qualified. It is a common occurrence with us, and upon a comparison of views with gentlemen from other dioceses, I am told it is a very common occurrence in Western and also in some large Eastern dioceses, that zealous clergymen, and sometimes anxious Bishops, are so desirous to increase the ministry that persons are proposed who really are not competent; and when the Standing Committee take into consideration that in the rapid increase of our Episcopate these persons may soon be presented for that high office, they feel they must protest, in many instances at the threshold, against the attempts to introduce these unqualified persons into the ministry. I merely speak of it as a matter of experience, hoping that it may have its weight with some lay members of the Convention.

REV. DR. S. P. PARKER, of Mass.:—The subject of examination in writing strikes me favorably, in more ways than one—in one respect that has not been suggested to this Convention. I can conceive of cases and circumstances in which the examination in writing, thus



preserved, shall operate in defence and in behalf of the candidates for the ministry. I can conceive of its operating as a restraint, as a motive for carefulness on the part of the Bishops and of the presbyters, who may be inclined to *press* their peculiar views of doctrine. But in that respect, it is possible that some further provision may be necessary. The proposed canon provides for the preservation of the examinations, but it says nothing about their being accessible. Now, it seems to me that if they are worthy of preservation, some provision should be made for inspecting them, if there be motive therefor.

The motion for indefinite postponement was then put and lost.

The question then recurred, upon striking out the following words: "and the manuscripts prepared therein shall be preserved in the Episcopal archives of the dioceses in which such examinations are respectively held." Which motion was lost.

Rev. Mr. ROGERS, of Texas, moved to substitute "one" for "three." Agreed to.

The Canon as amended was then adopted.

The House then proceeded to the order of the day—the selection of a place for the next Triennial Convention.

On motion of Judge Sheffield, of Virginia, the vote was taken by dioceses—one vote for each diocese,—resulting in the selection of Baltimore; and, on motion, the vote was made unanimous.

Rev. Dr. HAIGHT—of the Committee on Canons, submitted a report, that they did not deem it expedient to change the canon by which it is made obligatory on the clergy of a diocese to use occasional prayers set forth by the Bishop of the diocese.

Rev. Dr. STUBBS:—Inasmuch as I took the responsibility of proposing an amendment to that canon, it becomes me to explain my reason, and also to take leave to call the attention of the House to a matter which I conceive is not less important than any thing which has been or can be brought before this House, inasmuch as it affects the worship and service of Almighty God. I beg leave to call especial attention to the language of the canon as read by the Rev. Chairman of the Committee.

Messages 16, 17, 18, and 19 were here received from the House of Bishops.

On motion of Dr. HAIGHT, numbers 16 and 19 were referred to the Committee on Canons.

Rev. Dr. STUBBS (resuming)—I beg leave to call the attention of the House to the language of the canon which is this: "the Bishop of each diocese may compose"—at the end of it—"whose duty it shall be to use such forms in his Church." One reason why I brought forward an alteration of this kind, is that my position is one of entire disinterestedness. There are some clergymen in certain portions of the Church who may have suffered personal wrong, and

who may be unwilling therefore, to move in this case. But I have no personal wrongs to redress; I have suffered no personal injury. The diocese to which I belong has been honored by three prelates, all remarkable for their sound learning and good judgment. All have been men who can be intrusted with this duty to put forth certain forms of prayer and thanksgiving for any occasions, ordinary or extraordinary. They have all been animated by a Catholic spirit and by a high devotional feeling; and I undertake to say that there has not been a form of prayer put forth in the diocese, from the days of Bishop Croes to the present time, which has not been unexceptionable in form, and truly catholic in spirit; and no form has been put forth which all the clergy of the Church have not been able to use without the least objection; and the Bishops of the diocese have been men of such large and liberal views that they have not imposed them upon the clergy; and during the recent trouble in the country, though the Bishop of New Jersey put forth a prayer perfectly unexceptionable, he left the Presbyters free to use it or not. I am satisfied with my present relations to the Diocese of New Jersey. I am not afraid that forms may be put forth which I or my congregation may not be able to use. I do not wish to interfere with the power of the Bishops to put forth forms of prayer and thanksgiving; they may put forth such forms, they are welcome so far as I am concerned, to put forth as many forms of prayer and thanksgiving as they please. I believe they have the inherent power to do so. They have a power beyond this canon, by virtue of their office, to put forth at any time such forms of prayer and thanksgiving as in their godly judgment may be necessary for the use of the diocese; and I would be the last man that would attempt to deprive them of their Divine right, a right always exercised in the Church from the beginning to this time, and which is not derived from this canon; and for myself I say that I would not take away one jot or tittle of the power which they had before this canon. But I do wish to protect the clergy and laity of the Church from the undue exercise of this power by men who cannot be qualified to put forth such forms of prayer and thanksgiving as may be of benefit to the Church. That is my object; I claim that we shall protect clergy and laity against the undue exercise of the authority, which may be prejudicial to our interests and the interests of this Church. As the case now stands, we are exposed to the very worst evils that ever have arisen from extemporaneous forms of worship. We object to extemporaneous forms put forth by the brethren of the denominations around us—I say *brethren*, in the truest Christian sense of the word. We say that in this extemporaneous service they very often introduce their private opinions, their political views, and they may introduce heretical notions, and they may use language which is not proper nor even grammatical. We claim that we have a form of prayer free from all these abuses. Ours is perfect, and such as a congregation can unite in with one voice and one heart and all say amen. By giving this power to the Bishops to put forth forms of prayer and thanksgiving and making it incumbent upon us to use them on all occasions, we have the worst evils connected with extemporaneous worship, and more than that we stereotype them. What is the case now? We have a large number of Bishops, a number that

is yearly increasing, and if each one of this number can put forth such forms, they may introduce heretical views, political views, their mere private opinions, and they may use language which we do not believe to be correct or proper; and yet it matters not what the language is or the views, according to this canon it is absolutely incumbent to use them. I protest against it; I will not have such a burden laid upon my conscience that any Bishop may put forth a prayer—and such have been put forth—containing language which I believe should not be offered in any prayer to Almighty God, and I must use it. I stand upon my rights, and I will not use it. If he introduces political notions or heretical, I will become amenable to the law and subject myself first to a public trial, and will be condemned by a court of justice, before I would be condemned by my own conscience. Because if I use such language as I can not use from my heart, I am a hypocrite, and the prayer of a hypocrite can never rise to the skies; and every clergyman who shall be bound to use such prayers as he can not use from his heart, becomes thereby guilty of hypocrisy before God and His Church. Now shall he be forced to commit such a crime as that? Shall he be forced to stand up as the ambassador of Christ and use language which he does not believe? God forbid! I beg the Convention not to impose this burden upon us, not to force us to use language which we can not use from the heart as well as with the lips. And not only the clergy, but the laity of our congregations are obliged to hear and use such forms whether they believe in them or not; I say, sir, this is the most arbitrary power which can be exercised, and I beg and implore you to repeal the canon which to us is such a burden as that upon every man's conscience.

Message No. 20 was here received from the House of Bishops, announcing that they had nominated the Rev. Benjamin Wistar Morris to be Missionary Bishop of Oregon and Washington Territory.

On motion of Judge Otis, it was made the order of the day for to-morrow at twelve o'clock.

Rev. Dr. STUBBS, (resuming):—A few words more to the Convention. Let us take a lesson from the history of the past. If you do not hear that warning voice, then I say that you are deaf to all the wisdom of the past. Forms of prayer and thanksgiving which are put forth for the worship of Almighty God should be such as we can use from the heart or they become a burden to the conscience; they also tend to destroy peace and harmony in our congregations, as all such prayers of an improper character must do. I appeal to you all whether during the last six years there have not been forms of prayer put forth in various parts of the Church which have been like a thunderbolt and a fire-brand—whether they have not been the cause of driving clergy away from their congregations and producing dissension and trouble in the congregations, so that in many cases men would not come to church because they would not offer the forms of prayer put forth by the Bishops of the Church. What scandal is this! Will you suffer it any longer? Have you not known the trouble which has occurred all over the Church? We

do not anticipate such troubles again. God forbid they should occur. But you do not know what occasions may arise by which Bishops will put forth prayers you cannot use, burdens to the conscience, destructive of the congregations, and causing the clergy to separate from them because they cannot comply with the unreasonable demands of the Bishops. Do as you please. I plead for your own interests. If you do not change this canon I think you richly deserve all the sufferings which have occurred; and the day will come when you will be sorry that you have not listened to the warning voice.

Rev. Dr. HAIGHT:—I hope the House will understand this question. The law of which the reverend gentleman complains with such eloquent and vehement language has been the law of the Church for thirty-six years. We don't propose to make a new law. The reverend gentleman introduced a proposition to change it, and, instead of making it obligatory to use the prayers, to say you may or you may not. The Committee on Canons have had the matter under consideration and are not prepared to report a change. If the House recognizes the right of the Bishops to set forth forms of prayer and thanksgiving for extraordinary occasions, they should certainly protect them in the discharge of their duty, and not leave them to the mercy of presbyters—whether they will or will not use them. There is one way in which this difficulty may be obviated. My reverend brother has referred to three Bishops of New Jersey, all of whom have left it optional to the clergy. That is the case in this diocese. The Bishop has set forth forms of prayer to be used by the clergy at their discretion as to the number of times and whether they will or will not use them at all. If all our Bishops had done the same thing, the whole difficulty would have been removed. But to say in one breath that your Bishop shall have power to issue forms of prayer for extraordinary occasions and with the same breath to say that the clergy may not use them, is stultifying ourselves.

The Rev. Dr. Stubbs moved that the amendment be adopted.

The Rev. Dr. HARE read the canon as it now stands.

The Rev. Dr. Goodwin moved that the motion to adopt the amendment be laid on the table; which motion was adopted. The Committee on Canons then submitted Report No. 14, to the effect that they had under consideration several amendments to canon twelve, title one, concerning clerical intrusion, and that they are not able to report any of the amendments referred to them as likely to remove the difficulties in the interpretation of the canon, and they ask to be discharged from further consideration of the subject.

The Rev. Dr. HAIGHT said: There was a number of amendments introduced with reference to this canon which, after being discussed, were referred to the Committee on Canons for consideration. We had a meeting and discussed them very thoroughly; and the result of



the deliberation was this, that, notwithstanding the evident desire that something should be done, yet no one of the amendments would effect the proposed object, and therefore the committee had nothing to offer.

JUDGE COMSTOCK moved that the committee be discharged so as to leave the subject before the House.

JUDGE SHEFFY presented his views as to the parliamentary order of disposing of the report of the committee. He would say with proper deference to the opinion of the chair, that the object of referring to the committee was that the committee should digest for the House the resolutions referred to it, that the committee should dispose of them finally; and the report that the committee made was a final disposition of the business, unless the committee reported the resolutions back for action in some form. He thereupon moved that the committee be discharged from the further consideration of the subject.

The Rev. Dr. GOODWIN:—This motion to discharge the committee, is, I believe, a debatable question, and I desire to say something upon the subject-matter. I would ask first, that the Secretary should inform us in regard to the memorials on this subject as to their number and the number of the memorialists. I would like that the House should be informed with regard to the number and character of the memorials, at least the number. The secretary produced several yards of signatures, remarking that these were only small portions of the memorials.

The PRESIDENT:—I think the gentleman may safely assume that the memorials have been very numerously signed.

The Rev. Dr. GOODWIN, resuming:—I had proposed, and I suppose it is in order now to make a motion which I shall make at the close of what I have to say. I am ready to say then out of my ten minutes, that I entirely, for myself, approve of the canon to protect ministers in their parishes and congregations, and think they ought to be protected.

I think they have rights which ought to be protected. I entirely assent to that; but I think they ought not to have arbitrary protection, the protection of arbitrary action on our part; where there should be reasonable protection. As the canon now stands, there must be express permission. No man is allowed to preach, read prayers, or otherwise officiate, within the limits prescribed, without express permission, and in the case of a city, the express permission of a majority of the clergymen in the city. I have already called the attention of the Convention to some of the cases of hardship arising under this. I believe that Bishop White, of Pennsylvania, was for many years the President of the American Bible Society. I will suppose that the American Bible Society should have held its annual meeting in New York city, and suppose Bishop White were the one assigned to preach the sermon. Under this canon he could not preach that sermon even by the permission of the Bishop of New York, but must have express permission of the ma-

jority of all the clergy in New York. The pronouncing of the Benediction is an official act; so if he should pronounce the Benediction at a meeting of that Society, he must obtain the express permission of the majority of the clergy in New York. Now, it seems to me that we might make canons that would not involve such absurd applications. If it be said that of course it would not be applied in such a case, I say I think so, but then every man must determine in his own mind as to what it would not "of course" be applied. As to the matter of intent, I agree—and I believe all men, including the lawyers among us agree—that the intent must be taken into question; but the intent to do what? Some say it is the intent to violate this canon—the intent to preach without the express consent, and with the intent of interference. But what do we mean by intent of interference? If the intent is to be taken into the question it should be taken in the manner in which it is proposed—the intent to do some wrong. But if nobody is injured, and there is no intent to injure anybody, why should we make a crime out of it? Why should we give a minister not the power to protect himself in his rights but the power, on account of any peculiar opinion of his or personal pique, to fall upon any minister, who may chance to officiate in his parish? As to the canons, we say nobody shall do so and so, and then we are to interpret them so that somebody *may* do so and so. I do not see the necessity of keeping our canons in such a condition as that. The vagueness of the canon, it seems to me, is the great objection. I want a canon which will protect the clergy in their rights, but I do desire that the vagueness of the canon should be mended. I will say no more than to make my motion which the secretary can read, and then I expect it will be laid upon the table, but I want to do my duty. I have my own distinct, clear views in regard to this, and have a duty to perform, and when I perform my duty to the Church, I am satisfied. I yield with the most perfect cheerfulness to the decision of the Convention on the subject, and I can anticipate what it will be. I move that the report be amended by inserting the following resolution:

*Resolved*, That clause I, of section 6, of Canon 12, of Title 1, is hereby amended, so as to read:

No minister belonging to this Church shall officiate publicly either by preaching, reading prayers or otherwise, in the parish or within the parochial cure of another clergyman with the intention of establishing without canonical authority, a new parish or congregation therein, or otherwise disturbing the canonical parochial relations of said clergyman, and against the prohibition so to officiate, from the minister of the parish or cure, or in his absence, from the Church Wardens, or a majority of them.

*Resolved*, further, That at the end of the fourth paragraph of clause 2, section 6, of Title I, instead of the words—"and the assent of a majority of such ministers shall be necessary," shall be inserted the following, "and the prohibition aforesaid must be from a majority of such ministers."

Rev. Dr. NORTON, of Virginia:—I listened with great interest to the proposition of the Rev. gentleman from Pennsylvania; and I had already written something with the same object in view, which may meet the



views of that gentleman; otherwise I should feel inclined, instead of offering my own as a substitute, to accept his. We have the same object in view, which is to recognize by a canon, that which almost every clergyman in this Church does—to bring the letter of the canon into conformity with the general conduct of our clergy, conduct which they are obliged to pursue in the discharge of their duty as clergymen of the Church. It is difficult to find any general form of expression which will include those duties which we wish to recognize as a canonical right of the pastor to discharge to his parishioners, even though sojourning, it may be, or residing permanently within the parochial limits of another clergyman, and will also exclude those public duties which it would not be safe to confer upon him. The form in which I thought of presenting the matter is (reading the resolution). I am aware that this expression may not be precisely the best one; and the committee will hit upon some one which will better express the idea desired to be conveyed. But this is what is desired, and this, let me say, will defend this canon, in one of its most vulnerable points, from those who seek to bring it into discredit. I think it a valuable and indispensable rule of our Church, that limits should be assigned to our churches, that these limits should be so clear that there can be no mistake about them, that all our clergy will know where to find them. I would ask the reverend gentleman from Pennsylvania whether the amendment presenting the subject suggested in this resolution would not be substantially his own views in the case.

Rev. Dr. GOODWIN:—I cannot accept it, for I think we have spent time enough on it. Although I am earnestly desirous of having something done, we must stop somewhere.

Rev. Dr. NORTON:—Then I withdraw my resolution and will support that of the gentleman from Pennsylvania.

Rev. Dr. ADAMS:—Mr. President, I think I can suggest to the members of this Convention a consideration which I think will bring us to a resolution I will offer. I would ask, is it not a fact that this canon has been for years on our book of legislation? The answer is, unquestionably it has. Has any objection been had to it? No objection hitherto. That canon comes in upon a trial. A gentleman in this city is tried upon that canon, he is brought in guilty, and the court acting upon the canon pronounces a sentence and that sentence is carried out. I would ask the gentlemen who are lawyers here, what does that amount to? It amounts simply to a judicial interpretation of the law, given by men whose ability, whose honesty, whose innocence, whose skill in the law we cannot doubt. There is no person here who must not say that that is true. Now, sir, let us accept the thing in its shape. Some of us are unpopular, perhaps a majority of the clergymen of the Church are unpopular; they are apt to hold to the principles of, and to believe in, the Holy Catholic Church, and the cry is raised "These bitter, narrow-minded, 'High-Church-

men;' they have got a canon, and they put a man down for preaching the Gospel; and that ought to be brought to an end." What is the operation of it? As everybody knows, we have simple legislative duties; we are not a court of appeals; but it is determined to make us a court of appeals by a side-wind, when everything is hot and excited, when faction has reared its hydra head and is hissing through this city and through all the detestable papers. I have seen Church papers which as a churchman I should be inclined to treat as an old clergyman of this city did his Church paper to which he subscribed in order that every Saturday he could put it into the fire with the tongs [laughter]. They try to make us a Court of Appeals, and to have this Convention stultify itself so far as completely to annul that trial, and to declare that the interpretation of the court was wrong. I submit to this Convention that it is an indecorous procedure—and that it never ought to be brought up here. I submit that all these plausible reasons, do not mean anything against the canon. It means that men shall come up here and appeal to innocent clergymen; that they should bring in plausibilities in consequence of which the innocent clergymen and laity should go in and destroy the judicial decision, and annul the canon, and acquit the man who has been tried and condemned under the canon, and who has been solemnly sentenced by the Church. That is what the thing means. I submit it is indecorous in the highest degree. It is unfit in every respect to come before this Church (and I trust that there is no clergyman nor layman of the Church that will not recognize that that is the amount of the whole thing) to nullify the law, to pronounce the bishop who declared the sentence, the court that tried him, and all the rest, *fools*. I suggest it is highly indecorous; and, at the same time I admit that the gentlemen who brought it up have covered up their designs with plausibilities.

THE PRESIDENT:—Dr. Adams, I do not think it is right in you to indulge that strain of remarks reflecting upon other gentlemen.

Rev. Dr. ADAMS:—I beg leave to withdraw it, at the same time it is the effect of the thing. (Laughter.) If they do intend to nullify the canon and acquit the gentleman and pronounce the trial null and void and reverse the whole action of the court, I believe every clergyman and layman of the Church will agree with me that it is unsuitable—that this operation should proceed no further; and in order to bring the thing to an end (and here I apologize if I have imputed any evil intention) in order to bring to an end the thing which would result as I have stated (no man can deny it) I move that it be laid upon the table.

Rev. Dr. RYLAND, of Illinois:—I hope the gentleman will withdraw his motion to lay upon the table; it is too serious a matter thus to be disposed of.

Rev. Dr. HAIGHT:—You cannot suppose that this House is going in this way to apply the gag-law.

Rev. Dr. ADAMS:—I withdraw it.

Rev. Dr. GOODWIN:—From what I have learned from the chairman of the Committee on Canons, I am disposed to accept the proposition of my friend from Virginia [Rev. Dr. Norton] and to agree to substitute it for my proposition. I understand that the committee are ready to reconsider.

The Secretary then read the proposition of Dr. Norton:

*Resolved*, That the report of the Committee on Canons be recommitted, with instructions to report the following amendment:

*Resolved*, That Canon 12, Title 1st, Paragraph 6, Clause 1st, be amended so as to read: "nothing in this canon shall be understood to forbid a minister of this Church from discharging his duties as such in respect of members of his own parish who may be within the parochial limits of another minister, except the duty of preaching, and reading prayers in a public congregation," or some other amendment of the canon of like purport.

Rev. Dr. RYLAND, of Illinois:—I wish to observe, and I trust it is quite clear to the intelligence of this House, that the proposed action on the part of the memorialists, and on the part of the resolution now before us, by no means involves the implication suggested by the reverend and learned Deputy from Wisconsin. On the other hand, I contend that the presentation of the memorials in this House, calling for modifications and changes of that canon (and here I hold that these memorials are modest, Christian, and gentlemanly in their expression, and the change which they seem to suggest is also moderate)—I say the very fact of the presentation of such memorials seems to confirm the interpretation hitherto put upon the canon and sanctioned by the action of the court referred to. The very fact that they ask for a change seems to acknowledge that a right interpretation was put upon it at the time referred to; so that there is not even the possibility of thus reflecting upon brethren who have brought these memorials before us. It is one of the unhappiest accidents of this whole matter, that these memorials come before us burdened and crippled with this understanding. I believe there is a large party of sensible clergymen prepared to undo, somewhat, the cast-iron rigor of this canon. As it stands, I know it is acknowledged, on every hand, that it admits of factious and foolish application. Hitherto the tendency has been to look at this canon from one side only, as to the danger and mischief of approaching, contrary to law, the territorial limits of a brother clergyman. But consider this on the other side; and, in shaping laws, it ought to be borne in mind, very carefully, that whilst you protect against intrusion, you are not to put tyrannical power into the hands of any foolish member, who shall be ready to use it. Here let me guard the Convention against drawing the conclusion that I have the slightest reference, in my own mind, to recent facts in the history of the Church. I wish to be understood, most distinctly, that I do not pronounce any opinion upon the prudence or imprudence of the brethren who thought fit to bring

up this canon for judicial interpretation; nor do I pronounce any opinion upon the wisdom or unwisdom of the brother who seemed to be guilty of a breach of it. I say it is the unhappiest thing of this whole matter that these reasonable memorials come burdened with such antecedents as these. I believe that if we were without them, these memorials would induce the convention to modify the canon. We are breaking it continually; and the power lies in the hands of many a brother to throw this Church into disorder, and to bring distress upon Christian feeling, by the foolish application of the power—the *unwise* application of the power, shall I say—which the Church has injudiciously put into individual hands. I have no modification to suggest, but I am hopeful that out of the collected representative wisdom of the Church, as here gathered, and especially from the very able Committee on Canons, there may be really something brought before us that may be enacted by this House, which, on the one hand, shall admit of a clergyman doing reasonable, sensible, and necessary things, as going to his parishioners, and ministering to the individual necessities of those who cling to him and love him, though it may be within the topographical limits of a brother in another parish. The larger part of the clergymen do this thing, without any evil coming from it. If we are brethren, cultivated gentlemen, there is no danger of our being injured by this thing. There is not a man worthy of a place on the list of our clergy who would go and take advantage of these liberties, if you allow them, if you freely sanction them—I say there is not a man with a heart in him that would take advantage of them. Therefore, my brethren, I do trust the members of this House will be prepared to relax this canon; that we may have more liberty, that we may not be afraid that some brother will bring canonical penalty to bear upon us; that we may have a reasonable liberty; that we may minister to members of our parish, as I allow my brethren in Chicago, and as they do continually.

Rev. Mr. GADSDEN, of South Carolina:—It is with great modesty that I arise to address this Convention. There is a point which, it appears to me, has not been noticed. The canon is ambiguous. I have known instances in which it has been violated, without any intention of intruding upon brethren. It is a matter of serious doubt upon the part of clergymen, what is their duty under it. My attention was first called to it some years since; when I was in London, at the time of the services which were being performed in Exeter Hall by ministers of the Established Church, not the regular congregation of the parish in which Exeter Hall is situated, but composed largely of those not parochially connected with any church in the vicinity. A prohibition was made in regard to those services, issued by the rector of the parish in which that hall was situated, just before the services commenced. The ministers of the Established Church used extempore services. I re-



member one of the working men sitting near me said : " Why is it that the services of the Church have been set aside ? " I found that a legal opinion had been given that if they would officiate and preach, but not use the Liturgy, they could not be interfered with, and they might go on with the services ; and they were so continued. Since then I have had it in mind. I have seen various instances in which the canon stood in the way of the missionary work in the Church. Not many Sundays ago, after having completed all the services of my parish—the morning and afternoon service, and the Communion—I had returned to my house, when I received a note, written by the managers of a non-Episcopal Church, stating that the congregation were about to assemble, and the minister had not arrived ; and they asked me that, as a minister of Jesus Christ, I would come and preach the Gospel. There was no time to see my brother (though I believe I should have readily received his assent ; ) I was obliged to refuse the opportunity of preaching the Gospel of Christ, or else violate this canon, as interpreted by some, though I do not think it would be a violation. There is an ambiguity in the canon, and therefore I propose to refer the following words to be added, that " the terms defining parochial limits apply only to members of this Church. " I would be the last man that desired to intrude upon the parish of a brother. To intrude in any way, by preaching, reading prayers, or administering the sacraments among those connected with our Church, it seems to me, would be a violation of the canon ; but, to address a number of people, no matter how organized, so that they have no Church-relations with this Church, I do not think is a violation of the canon as it now stands ; but as there is ambiguity, I would be happy to have it removed, so that while we sacredly observe the rights of our fellow presbyters, we may be at liberty to preach the Gospel to others, though territorially within the limits of a brother's parish. Let us have opportunity to minister to them outside of our immediate church-limits, without violating the law of Christian love, or coming in conflict with any of the canons ; and I have so much of faith in the evangelical purity and scriptural character of our Liturgy, that I believe we shall be doing greater good than if we are bound by this canon. I trust this matter will be referred to the Committee.

REV. DR. HAIGHT:—In regard to the motion before the House (to recommit) I desire to say the Committee on Canons are perfectly willing to have the matter come back to us. There is one great difficulty in this matter. What is the canon ? What is its purport ? Is it anything more than, to put in legal language, the old maxim, " Let every man mind his own business "—the instruction given in the catechism to every child, that " he should do his duty in that state of life unto which it shall please God to call him "—the language in the canon to each Bishop, that " each Bishop shall

confine himself to his own diocese " ? When you come to put it in a legal form, and apply it, I do not believe it is possible to frame a canon, with rectors on one hand whose minds are bent supremely upon the idea of rectorial prerogatives, and brethren on the other hand who are impressed with the idea that they have a commission to preach the Gospel anywhere and everywhere, which one or the other class of minds will not find the means of setting aside. That is one great reason why the Committee on Canons have found themselves unable to bring anything before this House definitely ; but we are perfectly willing to take the suggestion of the brother from Virginia, and endeavor to bring in something to-morrow morning.

JUDGE CONYNGHAM:—I do not intend to detain this House by observations with reference to this matter. This canon was passed in 1859 ; it was then submitted to a committee, and there was a report of a minority of the committee at that time brought before the House, which I merely ask to read. This report was signed by William Bacon Stevens, now Bishop of Pennsylvania ; James Craik, now the honored president of this body ; and Philip Williams, now gone to his reward. I only say that the remarks made by the minority of the committee present themselves now fairly to the consideration of the House. If we are still to retain that canon—and I am in favor of such canon, either of the General or Diocesan Convention, something to protect the rights of the clergy—let us cure it of difficulty, if we can.

REV. DR. ANDREWS, of Virginia:—Though there may be little prospect of getting any change from the Committee on Canons, yet, if no other advantage takes place, this discussion has been exceedingly instructive and profitable ; and although it refers to the most exciting facts that have taken place in the Church in my day, there has not a single word been spoken that should give pain to any brother in the council or out of it. That is a great benefit gained so far absolutely. Let me say, in a word, that it is conceded on all hands that this canon can not be carried out in large cities. There are many places in the country where it is equally impracticable.

What we are to act upon now is as to the wisdom of retaining this canon in its present form. I will make one single suggestion to the Committee on Canons. I have never been a member of that committee, though I have been called upon times innumerable in the last 20 years to vote upon their deliberations. My suggestion is with reference to the times in which we live. There are certain restrictive rules which no Church has a right under its charter to pass, regarding Catholic union.

This is an aspect of the case very little considered. The Church has no right to pass such canons. It is easy for us to pass such rules restricting the liberty wherewith Christ has made us free, and then turn round and say if you can not observe the rules of the Church you had better leave it. Is the Church a human institu-



tion which a man can leave or not as he pleases? Suppose they should leave it where would they be? Some would be in the bosom of idolatry; some would be in the worst possible condition—impaled on one of the five points of Calvinism; or they might be left out in the cold unfriendly world. No, Sir, no man can leave the Church. From the Church he must be driven only by a judicial sentence; and it is an awful condition for a man to be in. When that blessed day shall come when these Catholic unions shall begin to appear, let us beware lest we be found in the possession of these restrictive laws upon which all the intolerance in the Church shall lay hold to prevent the realization of that unity of the Church for which all so devoutly pray

Rev. Dr. PETERKIN, of Virginia:—I am impelled to make some remarks upon this subject before it shall be finally disposed of, and that because I have not yet altogether given up the suggestion which I had the liberty of making yesterday before the amendments were preferred to the Committee on Canons. As one of my colleagues predicted, amendments and resolutions do come flocking like doves to the windows, but they are doves, I think; they bear the olive branch; and I think the waters are beginning to assuage; and I therefore think that we may welcome these emendations and resolutions proposed, even though they do occupy some of our valuable time. If I thought with one of the gentlemen who spoke that our minds were all fully made up, on this subject, I should not venture to occupy your time for one moment longer. But this, I take it, is an occasion of friendly fraternal conference. It is true in speaking in a large building, and to a large audience, there is necessarily an elevation of the voice, and therefore there is sometimes a prolongation of discourse so that what ought to be a few remarks may come to take somewhat the shape of a regular speech; but this I do not design; I shall try to keep within the time allotted to me, yet I must take some of that time to protest against the peculiar advantages possessed by my reverend brother from Wisconsin, for, *his* argumentative vigor, his powers of jocularity, and his facility for locomotion have given him an advantage over every member who sits in this quarter of the House. [Laughter.] Then I would suggest in relation to the allusion made by my brother that when we look at any given subject it depends very much upon our capability of looking just in that particular time. I remember to have read of an officer stopping at some country inn who was obliged to be off at the peep of day, and had his orderly sleeping in the room to be sure of his being aroused at the right time. The windows had been closed, and the officer having awakened did not know whether it was light or not. He called and said to his orderly, "Is it light?" And the orderly fumbled about the room until he got to a window, as he supposed, but unfortunately went to the cupboard and opened it. The officer said again "Is it light?" The orderly replied, "No sir, it is as

black as Satan and smells of old cheese. [Laughter.] Now, sir, I am looking out into the broad day light; I see light; I am not looking into this cupboard; not only are the waters assuaging but the light is dawning upon us. As this canon stands, if it were strictly interpreted, it does work all those restrictions which have been referred to. It would oblige any clergyman coming to officiate, say in New York, Philadelphia, or any other city, to collect all the rectors and obtain from them their assent. Therein this particular canon is, I presume, violated every day, without rebuke, that is, if it were strictly interpreted. But the ordinary interpretation is merely that which has been taken in this body, that is, that a clergyman is not to officiate by reading prayers or administering the sacrament within the parish, meaning within the territorial limits of another clergyman. But even with that interpretation it does not work such restrictions as were suggested by the gentleman speaking on this floor yesterday and to-day. Bishop White, if he were living, would still preside in any meeting of the Bible Society, or in any organization of the kind, all the prohibitions of all the rectors in any city to the contrary notwithstanding. Have we forgotten that not many years ago a clergyman from one of the dioceses was called on to make an address before such a society in another diocese, and in a parish of which the Bishop of the diocese was rector, and the Bishop himself, being also a rector of the parish, prohibited him from thus speaking. But the prohibition was of no avail. It did not apply to such a case. Nor does the prohibition apply to any such case as we have read of in the papers of this morning, where we find one of our most devoted Bishops appears at a meeting in this city having in view the amelioration of the condition of the poor Indians. Nor did it prevent that bishop from going into the Friend's meeting-house in another city, and there making his statement and address.

In times past it has been generally ruled by many that certain bishops and certain clergymen offended by any such conduct as that, while certain other bishops and clergymen were only advancing the interests of the Church. I think now we are disposed to regard this canon and the object it has in view and the whole subject in a more temperate aspect. We are supposed to consider it without prejudice; and in opposing the resolution or the amendment offered by my brother [The Rev. Dr. Norton], I only desire to get a better one and that is the one I referred to and which I think would still be sufficient—that "no clergyman shall officiate within the territorial limits of another clergyman *except transiently*." Although I know this very phrase excited a smile on yesterday, it is better it should excite a smile than a frown. It appears to me that if any clergyman desires to officiate temporarily or transiently within the bounds of my parish, it is better that he should do so; it will be a safety-valve for him, and the people; and I would say before this convention that we must remem-

ber the suggestion to an Anti-Lutheran: "Do not reject everything or do not object to everything simply because Luther is in favor of it." We must view the subject impartially; and although we may not arrive at a satisfactory conclusion now; I trust at no distant day we will. If any clergyman were officiating in my parochial limits more than transiently and against my will, then his intention must be looked into. I here would remark that the gentleman from Pennsylvania offered what I conceive to be an irresistible argument in behalf of the amendment I proposed. The intention must be looked to, and that must be passed upon, and then, too, there will come in what he ought to regard as of greater force and power than this canonical restriction, namely, his solemn ordination vow to maintain and set forward peace and quietness among all christian men as well as among those immediately committed to his care. That would be a principle while the canon is a rule.

Rev. SAMUEL CLEMENTS, of Ohio.—I would exhibit one or two difficulties in the canon as it now stands, and also refer to the difficulty in the amendment offered by the gentleman from Virginia. In regard to the enforcement of the canon itself in a literal sense, I suppose we all see it is an impossibility in many cases. The gentleman from Virginia who last spoke wishes to allow a minister to enter into the parish of another minister to officiate only transiently. He thinks this would be better than the amendment offered by my brother, the deputy from the Diocese of Virginia. Let us look at this case in one of its aspects. I am the rector of a parish lying very near to the city of Cincinnati. Most members of my Church have a very close connection with that city, many of them being engaged in business there, drawing their supplies from there, and mingling socially with the people of Cincinnati. In my parish are four families that attend churches in Cincinnati. Now the ministers of the respective congregations in which they are, come out to Clifton, leaving their own city, coming into a different civil division of the state, entering into the village of Clifton, and there officiate in those families—they baptize and they administer the Lord's Supper. Here is a plain violation of the letter of the canon. Would it do any good to say that those gentlemen might follow their parishioners and officiate transiently? One cannot suppose that any reasonable man would object to this thing. This is one of the cases in which we cannot comply with this canon. There is another matter where the spirit of the canon may be violated without at all touching its letter. There is nothing said in this canon about a minister coming into the parish of another minister and into his congregation and endeavoring to lead them off from the parish of a brother minister into his own parish. There is no law against this, and yet there is a greater temptation to this than the other matters. If we are going to legislate at all in respect to this matter, why not have a canon that will cover the whole ground? We leave these other matters to Christian courtesy, and though there are

occasional violations of Christian courtesy, yet I suppose these are very rare, and the Church is saved the disgrace of a public trial in respect to them. It seems to me that we might get rid of this difficulty by leaving it to Christian charity; and I believe there would be less trouble in the Church if there were no canon whatever on this subject. I believe that a great deal of our difficulty is created by the canon. If we have a prohibitory canon at all, let us have such a canon as we can entirely understand, and let us see clearly, too, that there is not the confusion which now prevails in respect to the parish, whether it is bounded by some territorial limit, or whether it embraces the idea, as more important, of a congregation, of a certain number of families attached to a particular Church. I believe we would do better if in answer to the memorials of these parishioners we were to repeal this canon. I believe we can better go on harmoniously without restrictions.

Rev. Dr. J. L. CLARK.—I happen to be mid-way between Wisconsin and Virginia, and I shall not appeal to the passions on either side. I want to ask the attention of the House to the principle of the present canon. We all know what the canon is; we have had very little trouble with it; it has adjusted itself in the various dioceses to different individuals quietly. In the diocese to which I belong it is common to go into a different parish to attend a funeral, but with suitable explanation, of course, afterwards. It is not an uncommon thing for one clergyman to go into another parish and marry a couple if he happens to be related to them; but he always consults the rector previously or subsequently informs him; I have never heard of any trouble. At present I am not disposed to any change. There are parishes in this city, one-third of whose members go into the country, and remain, in some instances, from June until October or November. Suppose that they have daughters that wish to be married, or suppose a son wishes to be baptized. Under this canon word is sent to a pastor, who comes into the country and performs the service; he reads nothing. Is it said that this is reading the service? Yet for six months in the year these persons are members of another parish; they take pews there. Are we in Connecticut to have city rectors coming into our parishes and performing service for four or six months in the year without saying any thing about it to their proper rectors? Under the canon as it now stands we shall have none of these troubles. If a rector comes into the country he expects always to consult the rector there and get his assent. I have not known in my life a case of refusal; but I have known cases in my experience where there might have been great difficulty and trouble had there been no canon whatever. I hope never to see any time when there shall be no canon. We are human, and we need rules to govern us. Change this canon as now proposed, and what will be the result? The clergyman may perform the service at a private house, and yet the rector of the parish can say nothing



Let us look at the practical operation as it must occur. The change proposed would be disastrous, indeed, in many places in New England where persons are spending a portion of their time in the country, and as much the members of a parish in the country as in the city. I can conceive it possible that a city rector having been many years in his place might go to the parish of a young clergyman in the country, without much experience, and cause him very much trouble if there were no canon in the way. The people would be glad to hear him; he is an eloquent man, and preaches the Gospel more faithfully, and draws around him many parishioners. Now what can this young minister do? he has no protection; every possible service could be performed, and unless the Prayer-Book were read (and it might be recited from memory), and unless there was preaching (and there might be many exhortations which might not be called preaching), there would be no remedy.

JUDGE OTIS:—I should like to read the canon as it was originally adopted in 1792. [Judge Otis then read the canon of 1792.] It will be seen that the additions have been very few indeed in seventy-six years. Now if a canon has stood for seventy-six years in this Church we should be very slow to change it. Another suggestion. It is proposed to legislate against intents. I have run my eyes over the canons of this Church now in existence; I have not found an attempt to legislate against intents—saying that a man shall not do so and so, with this or that intent. We must legislate against *acts*. One other suggestion. We propose amendments here as amendments have been proposed time and again. They are referred to a committee. They look plausible; we get together in our committee-room, eleven men of the Committee on Canons sitting around a table. The amendment is read; it looks plausible; but here are four doctors of divinity with thirty or forty years experience; one will commence to pull it to pieces and show the operation of it here and there; and it looks immediately as if the treatment had made of it an ecclesiastical bird of another color, entirely different from what it was when first presented. I must say it is a very difficult task to change this canon and make it satisfactory.

Rev. Dr. HAIGHT:—I beg the gentleman will add that not all the members of the committee are D. D.'s, and not all the pulling is done by them. (Laughter.)

Rev. Dr. MEAD:—The suggestion of my friend from Illinois ought to have much weight on the minds of this House before they undertake to make a change. A friend from Virginia has spoken of Christian courtesy; repeal the canon entirely and Christian courtesy will do all the rest.

Rev. Dr. ANDREWS:—It is a mistake; that was not my opinion, but that of the gentleman from Ohio.

Rev. Dr. MEAD (continuing):—I am prepared to say that the condition of humanity in which Christian courtesy or gentlemanly courtesy is to be expected never

existed in this country to a higher degree than in the gentlemen of the old school who constituted the Church when this canon was formed; and yet they found it necessary, in that early state of the Church, to pass this very canon in 1792. This canon has existed ever since. Christian courtesy may do a great deal; conscience and the fear of God may do much; but there are men who are fanatics; I am willing to attribute to them honesty of intention, but they have their own crotchets and Christian courtesy fails. The moment I am possessed of the idea that I bear a commission to go and preach here and there and everywhere, what but the restraint of the law can hold me back? I recollect an anecdote related to me by a gentleman who, I believe, heard the remark himself. On a certain occasion, the chief magistrate of Edinburgh addressed a large assemblage of people. He told them that a certain event was to take place, which would draw together a large multitude; and he requested them, especially the *Hoi polloi*, to conduct themselves with the greatest degree of propriety. He appealed to religious sentiment; "for, remember," he said, "the eye of God will be upon you; and if that is not sufficient, the eye of the Edinburgh police will be upon you." [Laughter.] There are men in the Church who need to be under a police regulation. They may not intend to be factious, but they are factious. Look at this canon, and the effect of it; you hear everywhere how courtesy has been exercised, and those who do not know what courtesy means, violate it by their very language. Now repeal it, and what are we to do with such men? We, in the country, who have our parochial jurisdiction strictly marked out, know what the effect would be—we should soon have our parishes in an uproar. There is no rector but will have some few men who will be displeased with him, who know not why and care not wherefore. Let there be two or three such men in a parish, and rescind this law. These men have friends who come and visit them in the summer; they say, "Bring down your pastor; he is an eloquent man, and we don't like this old fellow, Dr. —; bring your pastor here;" and though he comes but temporarily, he may soon draw off enough to break up the congregation. Such will be the effects of rescinding this canon. Beware! Let that which has existed some sixty odd years, stand as it is. I want no alteration; but if there is any alteration made, it should be to make the canon more stringent. I think it is sufficient as events recently have proved—sufficient for the protection of the Church—sufficient for all the liberty that every man in the Church has a right to require or expect. With these views, I say that I hope this canon will be left untouched, though, if the House sends it with instructions to the committee of which I am chairman, we will obey them, of course.

Rev. Mr. PERKINS: It seems to me that a great deal has been said which is irrelevant. The gentleman who has just taken his seat has spoken at length against the repeal of this canon, and implied that, if it were repealed, there



would be no police regulation left. Now, I understand that we have no such proposition before us; we are not to vote upon the question of a repeal of the canon. The gentleman has made a long argument, and other gentlemen have made arguments that this canon has existed so long and worked so well that it would be unwise to alter it in any way whatever; yet it has been only within one or two days that the majority of this House have voted to amend that very canon, and have sent the amendment to the House of Bishops, and asked their concurrence in it. Strange inconsistency. It seems to me that that is an inconsistency that ought to impress itself upon the minds of this House. Then, again, I hold that a large number of the members of this House have thought it would be wise to make some amendment to this canon. The large number of memorialists who have memorialized this House to the same end, do deserve some respect at the hands of this House, and, if it can be done, compatibly with the interests of this Church, these memorialists ought to have their petition granted, and the wishes of so many members of this House ought to be consulted. I wish to ask this single question: what objection is there to the amendment, that has been proposed, to this canon which does not exist against the canon as it now stands? As it now stands it is evidently liable to misconstruction. Its ambiguity is so great that men equally learned in the law, equally informed as to the history of this Church and its canonical law, differ entirely as to the amending of the canon. And I believe, sir, that the persons implicated in the troubles which have been the occasion of bringing this matter before us, were equally honest in their construction of the canon. Nor do I believe that there was any intention to violate Christian courtesy on the part of the brethren to whom reference has now been made. Not only so, but it is evident that on the floor of this House there is great diversity of opinion as to the amending of the canon as it now stands. I believe that in the case to which reference has been made, and which has been the occasion of bringing these memorials before us, there was no violation of the canon; and I doubt not that in that opinion I do not differ from the very large majority of the House. Now, what we wish to do—for we are all making at the same end, quietness and peace, the general interests of the Church—is simply so to amend that canon that the meaning of it shall be plain and patent upon its face; and I do think that if the members of this House will simply consider the amendment as it is proposed, they will see that it tends to promote peace and quietness in this Church, without disturbing the relations of any rector to his parish, or of kindly feeling that ought to exist between the different ministers of this Church to which we belong.

Rev. C. P. GADSDEN, of South Carolina—offered the following as an amendment to Dr. Norton's amendment:

*Resolved*, That it be referred to the Committee on Canons, with instructions to report that the terms of this canon defining parochial limits apply only to members of this Church.

A DEPUTY—moved to strike out the word "instruct" and insert "consider and report."

Gov. STEVENSON:—I hope that amendment will fail. This has been twice before the Committee on Canons, and we have their opinion in the most perfect

form they were able to present it, and after the most deliberate judgment. Now let us either lay it upon the table or vote the instruction. Let us meet the question fair and full upon both sides, and either pass the resolution with instructions or lay the whole subject upon the table.

Rev. Dr. ADAMS—moved to lay Dr. Norton's resolution upon the table.

Rev. Dr. LITTLEJOHN:—I hope the member will withdraw his motion.

The vote was then taken on Dr. Adams's motion, and, after a division, it was carried by ayes, 99, noes, 92.

Rev. Dr. HAIGHT:—I submit to the House that it is a most unfortunate termination of this matter to have such a vote.

Mr. G. W. CASS:—I presume that many, with myself, in thus voting to lay upon the table, did so because they did not wish the resolutions to go to the committee with instructions. I would move a reconsideration if the resolution offered by the gentleman from Virginia should be changed from "instruction" to "reconsider and report."

Rev. Dr. NORTON:—I will accept the amendment with pleasure.

Mr. CASS.—Then, I move a reconsideration.

Mr. J. B. DOE:—I hope this question will not be reconsidered; we have been playing fast and loose for about two weeks, and if we paid the same attention to reports of our committees that is usually accorded them, we might have got through all the business before this time. I do not propose to express my opinion on the merits of the question under discussion. Since I have been a member of this House, I have paid particular attention to the reports of the Committee on Canons; and although I can appreciate the eloquence, and the wisdom, and the piety, of those individuals who have engaged in the debates, I have been particularly struck with the wisdom of the reports of the Committee on Canons which have been addressed to this House. We have consumed four days in discussing and trying to break down two reports from the Committee on Canons. And, then, after we got through with the discussion, their views were adopted; and I am perfectly satisfied to pay that respect to the reports of this House to which they are entitled. I hope this question will rest where it is. I will here give notice that if this question comes before the House again, I shall take the liberty of expressing my views at length upon it, at least as far as ten minutes will permit.

Rev. Dr. ADAMS:—I would be willing to vote for the reconsideration if the word "instruction" were removed [an amendment which Rev. Dr. Norton had sometime before accepted].

Rev. Dr. LITTLEJOHN, of New York:—I am glad to hear that my brother from Wisconsin has acceded to this proposition for reconsideration. The way in which this matter now stands is certainly very unfortunate.

The vote which has been taken to lay this matter upon the table has not brought out the real sense of this House upon the motion. I voted against the proposition to lay upon the table, because I am in favor of fair play; and when an issue is brought before the House as directly as in this case, I do not believe it is just to either party to terminate the question in the way it has been terminated now. Let us have a direct vote upon this matter, and let the sentiments of the House be revealed, and not covered up as now.

JUDGE BATTLE—withdrew his motion to lay the motion to reconsider upon the table.

Rev. Dr. RICHARD S. MASON:—I should be glad to have this subject reconsidered. I was opposed to laying it on the table. I wish to see two things protected: the rights of a rector, and as ample liberty as possible of preaching the Gospel.

Reconsideration was agreed to.

The question now recurred upon the resolution of Dr. Norton, modified by the substitution of "consider and report" for the word "instruct;" and it was adopted.

Rev. Dr. HAIGHT—presented report No. 18 from the Committee on Canons, and the resolution of non-concurrence on the part of the House of Deputies with the resolution of the House of Bishops, admitting the clergy and ministry of England and Canada to all the rights of this Church; which resolution was adopted.

Mr. MEIGS—gave notice of his intention to move a reconsideration of the action of the House, with reference to the canon concerning Assistant Bishops.

JUDGE SNEFFEY:—This is a summary proceeding at the heel of a long and arduous session, to bring back upon the House a question that was deliberately debated and disposed of. I hope the vote is not to be pressed now, and I would suggest that it should be postponed until to-morrow, at half-past 11, that there may then certainly be a full House to vote upon it, especially since a vote upon the merits of the question will require a vote by orders and dioceses.

Rev. Dr. HAIGHT:—The canon has been sent to the House of Bishops.

The mover of reconsideration accepted Judge Sheffey's suggestion.

Mr. TAYLOR—moved that a message be sent to the House of Bishops requesting a return of the canon.

Rev. Dr. MULCHAHEY—raised the point of order, that, after the report of the standing committees and before motions and resolutions, reports of special committees are in order, and that he was ready to submit a report from a special committee on the subject of the Provincial system.

Rev. Mr. ROGERS, of Texas—suggested that the reconsideration could not be deferred till to-morrow, because a reconsideration was required to be made within two days after the action to be reconsidered.

Mr. TAYLOR:—It is the *notice* of reconsideration that is required within the two days, and not *the* motion.

A motion to adjourn was lost.

The motion to reconsider was adopted, and the reconsideration was deferred until to-morrow.

The House then adjourned.

#### THIRTEENTH DAY'S PROCEEDINGS.

WEDNESDAY, Oct. 21st, 1868.

The House met pursuant to adjournment.

Morning Prayer was said by Rev. Dr. Wheat of Tennessee, and Rev. Dr. Mason, of North Carolina.

The Benediction was pronounced by Bishop Kemper, of Wisconsin.

The journal of yesterday's proceedings was read.

Mr. TAYLOR—moved that a message be sent to the House of Bishops requesting the return of the canon relating to assistant bishops. This motion was agreed to.

The president said that hereafter, in accordance with the usual course in such matters, reports would be received as a matter of course and passed upon at once, if without debate; but that, if they should give rise to debate, they would be laid upon the table, to be called up in their order.

Rev. Dr. HAIGHT—submitted the report No. 20, from the committee on canons with reference to a proposed amendment of Canon 9, section 3, Title 2, and a resolution of amendment striking out the words "of this church" after the words "presiding bishop," in said canon. On motion this resolution was adopted.

Another report from the Committee on Canons was submitted by Rev. Dr. Haight, with a modified form of canon recommitted, relating to the consecration of churches.

Judge BATTLE:—By reference to the printed canon submitted the other day, the changes which have been proposed are easily discernible. The gentlemen who raised the difficulties with regard to the canon as originally proposed had the kindness to meet the committee and mention what were the peculiar laws of their own State and the condition of things to which they wished to apply a remedy. It seems that in the Diocese of Vermont, churches were built by subscribers of all classes of people—some churchmen and some who were not; and they became tenants in common of the churches; and therefore a part of the church was frequently owned by a man who was not a member of the Church, perhaps an infidel or Unitarian or person of any other denomination. The object of the canon is that no church shall be consecrated unless the title is secured for our own Church. Therefore it is provided in the first section that the title is all to precede consecration. These modifications, I was informed by the gentleman by whom the matter was recommitted would be entirely satisfactory. There was another objection, that the title should be a title in fee. But it is well known to all lawyers that whenever a title is mentioned it means a title in fee. It was thought best by the committee to leave the title indefinite, because, in some States, it is impossible to obtain land in fee simple, as in some of the Southern



States, where much land is in the hands of a corporation that will not grant anything but a long lease. It was thought best to use general terms which would apply to the best title which could be obtained. It will be seen that the canon as now presented requires that not only shall the building and the land be secure from debt, but that the title also shall be secure.

Rev. Dr. HARE—inquired as to the effect of certain laws of Pennsylvania.

Judge CONYNGHAM:—As to what effect this may have upon what is commonly known in Pennsylvania as the Price Law,—the law of Pennsylvania must control. There is no question so far as that is concerned, with regard to Pennsylvania, under her act with regard to corporations. There is a provision that the property must remain under the control of the lay members of the corporation or some committee, or some authority or other of which there is a majority of lay members. The property is under the control of the laity under the law of Pennsylvania, (passed in 1856,) and no provision of this kind can supercede that law or destroy its effect.

Rev. Dr. GOODWIN—suggested that it should read a church or chapel which shall be consecrated, to avoid any *ex post facto* effect.

The PRESIDENT—If this requires further discussion it must lie on the table for the present.

Message No. 21 from the House of Bishops announced their non-concurrence in the proposed alteration of Canon 9, Title 1, increasing the period of probation of clergymen seeking admission from other Churches.

Messages No. 22 and 23 were then read, the former in reference to education, and the latter with reference to adding a cycle in the Prayer Book.

The Committee on Canons reported with reference to an inquiry as to the necessity of an addition to article 4, of the Constitution, of the words “or by the Bishop himself of some other diocese” or some phrase equivalent thereto, that such addition was inexpedient and asked to be discharged from the further consideration of the subject.

On motion the committee was discharged.

The Committee on Canons asked leave to withdraw a report of the canon with regard to federate councils with a view to add a further provision. Agreed to.

The Committee on the General Theological Seminary made their report.

The committee submitted a resolution nominating trustees from the various dioceses.

On motion of Rev. Dr. Mead the resolution was adopted.

Rev. Dr. HARE, of Pennsylvania—offered a resolution that, after silent prayer, the House proceed to vote on confirming the nomination by the House of Bishops, of the Rev. B. Wistar Morris, as Missionary Bishop of Oregon and Washington Territory.

Rev. Dr. HARE:—It is proper for a member of the deputation from Pennsylvania to introduce this matter.

I have known Mr. Morris from his first entrance into the ministry; and I know no person whose nomination by the House of Bishops would give me more pleasure. He is a most moderate man, where moderation is appropriate; full of energy and zeal; a Christian gentleman whose election I believe cannot but be of great advantage to our Church and the cause of Religion generally.

Mr. WILLIAM WELSH, of Pennsylvania:—In seconding that resolution I will say that it gives me great pain. For if he should be elected, we are to lose about the best man we have among us. We have no man who has thrown himself into the work of the Church with more energy than the Rev. Mr. Morris; who is a man, every inch of him; and everybody on the Missionary Committee of the Diocese feels him to be a man. He is more conversant with Missionary matters than any other man in the diocese.

Rev. Dr. HOWE:—In endorsing all that my colleagues have said with reference to Mr. Morris, I wish to add one item, and that is, he is a man of remarkable executive ability.

Rev. C. B. WYATT, of California:—The Rev. gentleman from Pennsylvania [Dr. Hare] anticipated me in the pleasure which I hoped to have in offering the resolution he has offered. I would add a few words of endorsement. I have enjoyed unusual facilities perhaps for knowing the territory comprised in the jurisdiction of Oregon and Washington, and for becoming acquainted with the character of the population there. I have also enjoyed an intimate friendship with the Rev. gentleman nominated by the House of Bishops, beginning with the time when he set out in his studies to prepare for Holy Orders. Sir, in that wide jurisdiction it will be easily supposed, when you remember the variety of religious opinions represented, when you remember how defective the education has been in the case of many of those people, when you remember that their tempers are very sensitive, especially as to any one who is placed in authority to teach them, it will be easily supposed that peculiar qualifications are necessary in the man who shall be presented to supervise that part of the Church's field. Sir, let me give before this House my humble testimony from intimate relations of friendship with that gentleman, that in his firm judgment, in his remarkable executive ability, in his power of sympathizing with those who from false instruction have received religious prejudices and are under religious errors, and above all, in his genuine, healthy, all-pervading piety, this Church has the best guarantee that the affairs of that jurisdiction will be administered wisely, and well, to promote the great designs of the Gospel of our Lord, to secure the religious welfare of that people and the honor of Almighty God.

Rev. CHAS. BRECK, of Delaware:—After Mr. Morris had been received into the Church, being baptized by the sainted George W. Natt, he came to his father's house in my parish, gave up the business in which he



was engaged, and determined to consecrate himself to the service of our Blessed Lord in the sacred ministry. It was my privilege to have him for my parishioner for a considerable length of time before he entered the General Theological Seminary, and I have since that time been upon the most intimate relations with him. Nothing in a period of thirty years has interrupted our friendship in the least degree; and not only has he all the qualifications that have been named by others, but he inherits the wisdom and judgment of his father and mother in a high degree; and he possesses also the Divine gift of common sense in as high a degree as any man that I know. I would therefore, give my hearty endorsement to everything that has been said.

Rev. Dr. HAIGHT:—I feel it due to Mr. Morris to say that having been educated in the General Theological Seminary of this city, he won the hearts of all the professors there, by his intelligence, by his industry, and by his uniform Christian demeanor. I have watched him very closely from that time down to the present; and I have numbered him among my best friends; and I rejoice from the bottom of my heart that this nomination has been made.

Rev. Dr. VAN DEUSEN:—I rise to concur in all that has been said, and to add this remark that I believe he belongs to that class of Presbyters whose motto is *Nolo episcopari* [I do not desire the episcopate].

A message from the House of Bishops was here received, returning the canon concerning assistant bishops.

The form of testimonials in electing a Missionary Bishop was then read by the Secretary.

On motion of Rev. Dr. Hare, his resolution was then adopted.

Rev. Dr. SHELTON, of Western New York, and Mr. O. S. Seymour, LL.D., of Connecticut, were appointed to act as tellers, and the nomination by the House of Bishops was unanimously confirmed, by a vote by dioceses and orders.

On the announcement of the vote, the Convention, rising, sang the "Gloria in Excelsis."

The episcopal testimonials not being ready for signing, the House proceeded to receive the reports of committees.

The Committee on Christian Education submitted its report.

Rev. Dr. LITTLEJOHN moved that the report and resolutions of the Committee on Christian Education be made the order of the day for to-morrow at 12 o'clock. Agreed to.

On request of Rev. Dr. Mahan, it was ordered that the report of the Russo-Greek Committee be printed.

On motion of Mr. T. Taylor, of Virginia, his resolution (declaring inexpedient any change in the Prayer-Book) was made the order of the day for to-morrow.

The PRESIDENT.—The next business before us is the resolution for the re-consideration of the canon concerning Assistant Bishops.

Mr. MEIGS.—I brought that up at a late hour yesterday, and briefly stated my reasons for moving a re-consideration. I will occupy the attention of the House for a few moments while I state more at large the reasons that influenced me. I voted in favor of that proposition of the Committee on Canons, perhaps hastily, but mainly upon the ground that the Committee on Canons had recommended the adoption of it. I was strongly influenced by my great respect for that committee. I thought it was perfectly safe to vote for their recommendation. But after twenty-four hours' reflection I became satisfied there were very serious objections to it.

The PRESIDENT.—Will the gentleman be so kind as to permit a suggestion from the Chair? The matter before the House has been thoroughly discussed; and if it is to be re-discussed to-day it will throw out a great deal of business that is to come before the House. I will suggest that it be postponed to Saturday, and then, perhaps, a vote can be taken without discussion; but in the meantime let us go on to reports of committees, and motions, and resolutions, which are providing new business for the House.

Mr. MEIGS.—I am willing to forego any further talk upon this subject, and should be glad that a vote should be taken at once upon the subject.

Rev. Dr. ADAMS.—This is the order of the day, and I think the gentleman should insist that it be kept the order of the day.

Mr. MEIGS.—If the House is not prepared to vote upon the subject I would be willing to postpone it; but I think the House is prepared to consider whether it is expedient to re-consider. I would suggest that the vote be taken at once to test the sense of the House.

Judge CONYNGHAM.—I simply wish to call the attention of the House to the probable effect of a refusal of this canon; and it is calling attention to Canon 13, Section XI., Title I.: "Every bishop in this Church shall visit the Churches within his diocese at least once in three years," &c. We all believe that at least once in three years a bishop ought to visit all parts of his diocese; we all believe it is not too often. If this provision for assistant bishops should not be made, I know there are many dioceses in which episcopal visitations must be deferred, for the purpose of saving the bishop's health; and it is not necessary for any man to sacrifice his health to do good.

Calls for the question.

Rev. Dr. ADAMS, of Wisconsin, called for the vote by dioceses and orders.

The PRESIDENT.—The motion is to re-consider the vote adopting on the part of this House an amendment proposed by the Committee on Canons concerning the election of assistant bishops.

Judge SHEFFEY, of Virginia.—This is really made the test question. The House will understand that if we should re-consider, then the question will come back again upon the adoption of the canon; but it would

probably be best to dispose of it on a test question, and therefore the delegate from Wisconsin has called for a vote by dioceses and orders.

Rev. Dr. ADAMS.—I have withdrawn it.

Rev. Dr. HAIGHT.—Suppose the House order the matter to be re-considered, and then the question comes up upon the passage of the canon; is not that open to debate?

The PRESIDENT.—Certainly.

Judge SHEFFEY.—Those who are in favor of the canon should vote in favor of the re-consideration; if the other side carry it, those in favor of the canon had better not fight any farther.

The PRESIDENT.—The question will be taken by dioceses and orders, and those who are in favor of the canon as it was passed, will, of course, vote in the negative upon this question of re-consideration; and those who are against the canon as passed will vote to re-consider.

Rev. Dr. HAIGHT.—I think it is simply a question of re-consideration. I feel myself free to vote one way or the other without reference to the canon.

Rev. Dr. MEAD.—The question must necessarily be a test question. The canon is the voice of this House. The question is, shall it be taken up and re-considered? If you do not take it up, you leave it as passed. Those who are in favor of leaving the canon as already passed will vote no on the question of re-consideration.

The vote was then taken by dioceses and orders, and resulted as follows: Clerical vote—ayes 24; noes 6; divided 5. Lay vote—ayes 17; noes 14; divided 4. So the re-consideration was defeated by non-concurrence of orders.

Rev. Dr. MULCHAHEY stated, as preliminary to submitting the report of the Committee on the Provincial System, that the canon to which the report had reference was not in the possession of the committee nor of the House, the Committee on Canons having been allowed to withdraw it for amendment. The whole difficulty, he thought, as to whether the amendment to be added by the committee would render inapplicable the report, could be remedied by allowing the Committee on Canons to state to the House what the proposed amendment is.

Rev. Dr. RYLANCE.—Would it not be better to wait for the Committee on Canons to report, and then let this report follow it in order?

Rev. Dr. HOWE said that the Committee on Canons were then ready to report back the canon, and accordingly submitted their report, which embodied a canon, declaring that it shall be lawful for any dioceses existing, or hereafter to exist, within any state, to establish for themselves a Federate Council, representing such dioceses, which may deliberate and decide upon the common interests of the Church within the limits aforesaid; but, before any determinate action of the Council, the powers proposed to be exercised thereby shall be sub-

mitted to the General Convention for its approval. To this they desired to add the following words: "Nothing in this canon shall be construed as forbidding any Federate Council from taking such action as they may deem necessary to secure such legislative enactments as the common interests of the Church in the state may require."

Which report, on motion of Rev. Dr. Haight, was laid on the table.

The PRESIDENT:—The Committee on Clerical Support have placed on my table a report, and the gentleman who made it is anxious to present it, because he expects to be absent after to-day.

Mr. B. JOHNSON BARBOUR, of Virginia:—I beg leave to say I have been deputed by my colleagues of this committee to present this report:—

The committee to which was referred a memorial from the Diocese of New Jersey, on the subject of clerical support, beg leave respectfully to report as follows, that they have given the subject the utmost possible attention and examination with the result indicated in the following report and resolution:

The committee was met at the threshold by the suggestion that any action of the Convention would be not mandatory, but only advisory in its character. The dioceses differed from each other not less in their circumstances than in their latitude and longitude, and at least each one must be allowed to select from a multitude of suggestions the plan which after full consideration it shall decide is most congenial and appropriate to itself. It is of minor importance whether the end be accomplished by forming a parochial aid system, by a fund or yearly contributions assessed upon parishes, or by the arrangement of pew rents, or weekly or monthly contributions. The main question is to awaken interest and to maintain it. It will be useless to prepare the conduits until we know that the fountain has been struck. It is unnecessary to compare the price of gold until we have the gold. If we desire more earnest prayers and to have more independent clergy we must relieve them from the harassing cares of insufficient support, and from the constant struggle for their daily bread, and give them such assurances of a comfortable and constant maintenance as to enable them to turn their undivided effort to the great work before them. If we are not content to witness the decrease of the ministry and dry up the source of supply we must arouse ourselves and prepare for a comfortable and full support of the clergy. It is not a charity but a duty; it is a debt, not a mere benefaction. It is a debt which we owe to the ministers of the Church, to the country, and to God. It is obvious enough that the remedy lies with the laity not the clergy. This is an opportunity in which—while the laity are gathered together—to force facts home upon them and remind them affectionately but pointedly of their culpable delinquency in this great and high duty, and to urge them in the name of humanity, of the Master whom they profess to serve, that they set themselves steadily, earnestly, and persistently to the fulfilment of their duty to those on whose faithful prayers rest their dearest and mightiest interests. In conclusion, and as an embodiment of our reflections, we offer the following resolutions:



*Resolved*, That the House of Bishops be requested to present prominently, in a pastoral letter, the sufferings and wants of the clergy of the Church in many portions of the country, and the vital necessity there is for prompt and efficient relief.

*Resolved*, That, in the opinion of the laity of this House, it is a solemn and urgent duty resting upon this body of the lay members of the Church to make systematic and constant efforts for the better maintenance of the clergy, and whilst each diocese is, of course, free to adopt the plan best suited to its own condition and circumstances, it is recommended that, after due notice, a collection be taken up in every parish on one or more of the festivals of the Church, annually, one portion to be given to the minister of the parish and the remainder sent to the Treasurer of the Domestic Committee to be distributed among the clergy of the Southern missionary dioceses.

MR. B. JOHNSON BARBOUR:—Mr. President, if I could be permitted to say a few words I should be glad to do so, if I do not trespass upon the patience of the House nor upon the time of the corps of regular speakers. [Laughter.] No one is responsible for my thoughts; therefore I shall be glad to speak them. This report, or rather the memorial on which it is founded, speaks of things we know so little of in the part of the country from which I come, that I am desirous of making a little explanation. It speaks of stocks and salaries and gold and silver and real estate. Well, "gold and silver we have none," and as for the paper currency, we have only a disturbed vision of a currency that rose like an exhalation, covered the land like the waters of the sea, and vanished like a dream in the night. As for land, we have so much land that we cannot sell nor even work it; we scarcely call land real estate in our country. I beg leave to repeat in substance a single sentence that I said in your presence a few nights since, that I trust I am too well aware of what is due to the sacredness of this edifice and to the solemnity of this occasion, and too well aware of the general inutility either in Church or State of political discussions, to make any mere political allusions to-night, neither would I invade the grave of the dead past. I would not even disturb its surface unless it were to plant the flowers that are the emblems and the token of resignation and peace—a resignation that believes that God speaks to His children alike in the whirlwind of war and in the gentle influences of peace. But it is necessary for me to allude to the general condition of our country; and my statement is fortified alike by the eloquent words we heard from our brother from Texas and by the striking remarks included in the report of the Committee on Christian Education to-day. It is not so much a question, my friends, in a great many portions of the South how much or how we shall pay our ministers; but it is a question whether there shall be any parish at all. Flocks and shepherds have been so much scattered by the terrible events of the last few years that it is a question of great solicitude whether they will ever meet on earth again; and the only memorials of scenes where once happy assemblies met to worship Almighty God are nothing but blackened and ruined walls. And I believe if those scenes were presented to you, not by poor words of mine, but in their reality, they would touch your heart. As I was walking in the principal artery of this great metropolis to-day, my attention was struck at the entrance of a photograph gallery by a splendid reproduction of the Coliseum at Rome. Strange enough, two hours afterwards when talking with a friend he

drew from his pocket a small picture not larger than the palm of the hand. It was the photograph of the eloquent ruins of his own church; and it was far more eloquent than the Coliseum. One, to be sure, had clustered around it the associations of fifty generations; but the other spoke of *our own miseries*. One is pagan, but the other, even in its ruins, spoke of the countless ages of eternity; and I believe that nothing more eloquent could be shown to these northern and western friends of ours than a grand diorama of all such ruins in our country. I remember when the celebrated Dr. Duff came from Scotland, some twenty years ago, in the interests of the free church in Scotland, and made his magnificent speech. He said only one thousand dollars was required to erect one of the humble mansions they needed. "Then" said a large-hearted merchant, "I will build twenty of them," and sent in his check. Would it not be far more noble to re-erect these ruined churches in your own country? Do you not believe with me that they would be the best temples of reconstruction, better than all those acts with which the wisest and best men could crowd the statute-book? If you believe with me that our noble Church is destined to arouse from her lethargy, if you believe with me that she is adequate to restore the functions of the great American heart, to give it a grander, a fuller, a healthier pulse, to send its tides to the remotest portion of our earth and give to the whole body politic health, beauty, and strength, if you have heard, as set forth by the report to-day, the amount of destitution in the South, recollect the greater spiritual destitution. If you would hear, as I do, the voice that speaks from the tomb of many a dead empire and of every past republic, if you would lift up your lone sister of the South, if you would make her believe that her griefs may be sanctified to her everlasting good, if you would teach her that she could wear them not as a crown of thorns but as a golden sorrow—if you would do this—and place this gift upon her brow like a coronet, she would rise up and look to you with a look of startled joy, as though Rachel's children still lived. If I have said too much on this subject, pardon me, for I speak in the name of that country that we should all love and of that God we should all adore. Remember! oh, remember! that in the great earthly trinity,—Faith, Hope, and Charity,—that the greatest of these is Charity. [Applause.]

REV. DR. STUBBS—thanked the gentleman, in behalf of the Convention, for his eloquent, able, and patriotic speech.

DR. G. C. SHATTUCK, of Massachusetts,—thought it was impossible for this Convention to fix the different proportions of the collection [suggested by the report] which should be given to the clergyman of the parish, and to the other purposes mentioned in the report.

REV. DR. RYLANCE, of Illinois:—Am I to have a collection made in my parish? I understand we are to do so, in accordance with instructions from the Bishop.

THE PRESIDENT:—One of the resolutions is for the Bishop to issue a pastoral letter, and the other a recommendation from this House that collections be taken up once in a year, and one portion of them to go to the minister of the parish.

REV. DR. RYLANCE:—I do not need it, [Laughter] and



think that five hundred other clergymen do not; it is indelicate.

Dr. G. C. SHATTUCK:—Some do need it; and those that do not need it can give it to other parishes that do.

Rev. Dr. RYLANCE:—I am not opposing that; but, then, there should be some indications that the collections should be in those parishes only where want is known to exist.

Dr. HOWE:—I hope it will not be left to the rector to determine whether it is needed or not; it may be an awkward thing to ask it, and yet he may feel conscious that he needs it, and his people may think that he does not need it. I heard of a clergyman at a rural place who received a small salary of \$250 a year. Persons who, in the summer, resort to that place, are in the habit of making up a purse for him, which, on the last occasion, was considerable in amount. When his people found that that was done, they determined that he did not need the \$250. [Laughter.] Often the impression is that the minister is in affluent circumstances, when he knows he is not. It will put him into a painful situation to determine how large a part of the collection he shall appropriate to his own use.

Rev. Dr. STUBBS:—As little as we can do is to give the whole.

Rev. Dr. RYLANCE:—It will be an indelicate thing for the clergyman to take the collection himself. It will be the inception of an improper thing. I want no such help brought out of my parish. I would not need it.

Rev. Dr. GOODWIN:—Is that collection to be taken up also in the Southern dioceses and then sent to the committee to be distributed back to them?

Rev. Mr. BRECK:—It does appear to me there ought to have been one or two clergymen on the committee, in considering this subject. This matter of clerical support has been, I suppose, the study of many gentlemen in this House for a great many years; and it has been one of those studies that have been utterly incomprehensible to the minds of many. I have had to do with some of the most generous and liberal men in the Church, who give by hundreds and by thousands, but who never seemed to take in this subject in any true or proper way, and I have been waiting for this report, hoping that these gentlemen would bring something out that would be practicable. We have had all these things before. We have had Bishops sending letters and circulars, and yet they have not reached the difficulty. And there is nothing in this report that reaches the root of the evil, at all. You may support a clergyman, and give him a salary and these collections, but I wish to know what is to become of the family of the clergyman, and whether there is anything to reach their ease, if he is removed by death? I say that after the death of the clergyman his family is presently forgotten by the Church; and I know a large number of ladies who have thus been forgotten. When I was a young man, after I had been ten years in a parish and was about to leave it, I threw out this subject in a delicate way; not in a way that could be made personally applicable, at all. I went into the new section of Northern

Pennsylvania. There went into that country, at the same time, lawyers and merchants, all of us very much of the same age and condition. We lived together for ten years. Those business men went on accumulating property—houses and lands—property of all kinds. I suggested to them whether it would not be just, if, at the end of ten years, they should combine, and devote a certain portion of their property to the support of the families of clergymen; that they should put it together into a sum, whatever they were able to give, according to their means and prosperity, whether it were five hundred or a thousand dollars; and, after that, let it be devoted to the support of the families of clergymen who had ministered so many years in their midst. It has always seemed to me that if something of this kind could be done, it would be the most practical way of reaching this terrible evil. There is another point, and yet it is a very delicate one for the clergy to touch, and it is, that the families of clergymen might be remembered in the wills of members of the Church. I do not believe that one will out of one hundred of the members of the Church, who are able to contribute something towards the support of the minister's family that had been among them for ten or twenty years, gives them a dollar. There are these two points that seem to me practical ways of accomplishing this thing; and they are those two points that have presented themselves to my mind, in reflecting upon this matter, during a series of years.

Rev. Dr. MAHAN:—I am very much afraid, in connection with this discussion, that there will be a certain amount of what I call waste of soul. I am very much afraid that this will result in one of those wastes of soul which so often occur in cases of this kind, when a man is inspired by God's Spirit to pour out his soul before us, and it leads to nothing but mere talk and resolution. And, though I am unprepared to make anything that might be a wise suggestion on this subject, I would propose, substantially, this: that this Convention should not separate without appointing some committee, or somebody, to ascertain something with regard to that terrible destitution of the Church of God in the Southern States, and to recommend some plan by which we may avert the wrath of God that will certainly come upon us if we do not provide for that destitution. I propose that this feeling should not pass away from us as a mere empty sound. We have listened to eloquent words, that every member in this Convention felt, in his heart, to be truly words from God. Let this lead to something; let there be something springing from this occasion, and let it go forth as the voice and the act of this Convention. There are various things that may be done. There are members of this Convention, more practical than I am, who may suggest something; but, if nothing more than this, it would be something, namely, that we should here contribute, upon this spot, at least the beginning of a fund towards this great purpose. If we merely pass resolutions, recommending that some day or other there should be funds, they will amount to comparatively nothing, unless the effort be made to give a distinct impulse. I would recommend that the thing should be more thoroughly considered, and that something, if possible, should be done on the spot.

Rev. Dr. HOWE moved that the subject be referred back again to the Committee for further practical suggestions

and that two clerical members be added to the committee. Agreed to.

The additional members of the committee were Rev. Dr. Mahan and Rev. Chas. Breek.

Message, number 25, from the House of Bishops, concurring in the action of this House, fixing the next meeting of the Convention at Baltimore.

Message number 26, from the House of Bishops, announced their con-concurrence in amendments, Nos. 2, 3, 4, to article 5, of the Constitution adopted by the House of Deputies.

Rev. Dr. MULCHAHEY, of Massachusetts, submitted a report from the Special Committee on Federate Councils and the Provincial System, which opposed the introduction of the latter as unsuited to our times and country; but favored Federate Councils where there is more than one diocese in a State, and proposed new canons relating to them.

THEV. Dr. MULCHAHEY moved that the proposed canons be printed and made the order of the day for Friday, at 12 o'clock.

The Rev. Dr. GOODWIN moved that they be referred to the Committee on Canons before printing.

The Rev. Dr. MULCHAHEY:—I withdraw the motion to print, and move that they be the order of the day for Friday.

HON. S. B. RUGGLES:—I rise to move that when this great proposition with reference to the re-arrangement of our Church, making an arrangement which in my honest judgment, will lead to its dismemberment and ruin, in which the life of the Church is concerned and the authority of this General Convention,—a question of life or death,—we shall have an opportunity of being heard in defence of our common mother, that we shall not be confined to the narrow limits of debate established the other day; for I aver, after a consultation with experienced gentlemen, that this subject presents at least ten specific points in reality, each of which would properly require the whole of the ten minutes now given by the rule. I should hardly expect to give ten minutes to this point, if I had the opportunity; but I shall move that three minutes shall be given to each point by each speaker, and I propose to submit those ten points, that we may have them in this debate. I therefore propose them in order to condense as far as possible, and to avoid repetition; and although I do not flatter myself that I have embraced all the points, I will ask leave to read the ten propositions which must be discussed.

THE PRESIDENT:—There are two motions before the House, one to make the following resolution the order of the day for Friday:

*Resolved*, That it be referred to the Committee on Canons to report whether it is expedient to determine whether it should be compulsory or voluntary on the part of the different dioceses within the bounds of a certain State, to unite in the formation of these provinces spoken of.

The motion to make the report of the special committee the order of the day for 12 o'clock, on Friday, has been superseded by the motion to commit. The motion to re-commit was lost. The question then recurred upon the motion to print the canons reported by the Special Committee and to make them the order of the day for Friday next, which motion was agreed to.

HON. S. B. RUGGLES:—I merely wish to get these ten points before the House. I merely say to the House that these ten propositions may or may not be true. One thing I will say, they are all pertinent to the case; and they are offered merely to avoid repetition and secure condensation, and something like consecutive order in this debate. Others might be added, and the order might be improved. I will read them, coupling them with a motion which makes it proper that any member may speak three minutes on each proposition:

*Resolved*, That the resolution of this House as adopted on the 16th inst., limiting the speech of any member on any subject to ten minutes, be so far modified, in respect to debate on the provincial system, as to permit any member to occupy three minutes in discussing each of the following propositions:

1. The unity and unexampled prosperity now enjoyed by the Church in these happily United States, is mainly to be attributed to its simple but efficient organism under one supreme authority in the General Convention, restrained only by the ecclesiastical Constitution established by the piety and forecast of our fathers.

2. No fundamental change should be made in that organism without the clearest evidence of urgent necessity, and then, only in the Constitutional mode, by carefully considered Amendments to the Constitution to be submitted to the clergy and the laity in each of the dioceses, for their due consideration.

3. In framing, altering or enlarging the organism of the Apostolic Church in the United States of America, as one great Province of the Church Catholic, there was not and is not any Scriptural or other necessity for adopting or imitating any example of local organism in any other country or age, whether in the ancient Roman Empire or any of the monarchies of modern Europe; and that all such local ecclesiastical structures should be subject to variation with the necessary changes of time and place.

4. No evidence has yet been furnished by experience of any action or want of action by the General Convention, which requires any large surrender or delegation of its powers to dioceses or local groups of dioceses, representing only separate sections of the Church.

5. Any such surrender, according to all human experience, must eventually and inevitably operate to undermine and overthrow the paramount authority of the General Convention necessary for preserving the unity of the Church.

6. In view of the great continental extent of the Church, requiring personal knowledge of its wide-spread sections and subdivisions, the present House of Bishops of equal dignity and authority, is not too numerous, but may be gradually increased in number, with advantage to the Church.

7. If the House of clerical and lay deputies has now become too numerous for convenient and efficient action, the evil may be remedied at once, and without any fundamental change in our ecclesiastical structure, simply by reducing the ratio of representation of the dioceses, to keep pace with their increase in number.

8. Any institution of Provinces, or Sub-Provinces, or Provincial Synods, with power liable at all times to revocation by the General Convention, will be useless and illusory, and no such intermediate body can usefully exercise



any power already enjoyed by each of the Diocesan Conventions.

9. Such Provincial Synods, if invested with irrevocable powers, and withdrawn from the constant and watchful supervision of the General Convention, may soon diverge into widely differing habits and opinions, and become antagonist organs of ecclesiastical conflict, eventually leading to the dismemberment of the Church, and especially destroying the solid and unbroken front which it should present in the General Council, ere long to assemble under the great Providence of God, in the hope of re-uniting the Church of Christ on earth.

10. Such division of the Church into Sections or Provinces will work at once great injury, in rendering less frequent the present triennial meetings of the Bishops and the representatives of the clergy and the laity in General Convention; in which assemblies, the efforts of all to advance the highest interests of the Church are animated and elevated, and where by intimate and fraternal intercourse, all become acquainted with the feelings and necessities of each, thereby uniting our now undivided Church in one common bond of Christian sympathy and affection.

Rev. Dr. HAIGHT:—The diocese which I have the honor to represent in part, has presented a memorial to this House asking for the passage of a canon in regard to Federate Councils. The same step has been taken by the Diocese of Western New York, and by the Diocese of Maryland, and substantially by the Diocese of Pennsylvania. I am here on the part of the Diocese of New York to urge it as I best can. I hope I shall be sustained by the rest of my colleagues, since my brother has taken the position he has. If understand the propositions aright, they make directly and positively against that most important measure which the Diocese of New York has for the second time introduced to the attention of the House. I am not willing to sit here and hear that resolution brought in in the teeth of the memorial from this diocese, without giving some indication that we do not sympathise with the propositions. I move to postpone them indefinitely.

Rev. Dr. HARE:—I think the reverend gentleman from New York is mistaken in the impression that the Diocese of Pennsylvania recommended the provincial system.

Dr. HAIGHT:—They did ask for a canon to allow themselves to associate together for a purpose of common interest so far as the State is concerned.

Hon. S. B. RUGGLES:—I wish to exculpate myself from the charge made against me by my reverend colleague. The memorial did not recommend the provincial system. It was a provincial synod in disguise which I opposed in the Convention. And in the vote of the Convention it was stricken out on my motion.

Rev. Dr. HAIGHT:—I beg to correct the gentleman; it was not voted upon by the Convention; it was withdrawn by the committee who introduced it.

On motion of Mr. RUGGLES, his resolution was laid upon the table.

On motion, a resolution was adopted transmitting to the House of Bishops the testimonials of the Rev. Dr. Morris, Bishop elect of Oregon and the Territory of Washington.

The House then adjourned to 10 o'clock.

#### FOURTEENTH DAY'S PROCEEDINGS.

THURSDAY, October 22, 1868.

The House met pursuant to adjournment.

Morning Prayer was said by Rev. Dr. Kylan, of Illinois, and Rev. Dr. Cooke of New York.

The Benediction was pronounced by Bishop Clarkson of Nebraska.

The minutes of yesterday were read and approved.

Rev. Dr. WHEAT offered a resolution referred to the Committee on the Prayer Book, to consider the propriety of preparing a table of Lessons of Daily Prayer during the season of Lent.

On motion of Rev. Dr. SHELTON, the report of the Board of Trustees of the General Theological Seminary was read.

Rev. Dr. MAHAN, from the Committee on Canons, reported back the canon on ministers officiating, amending sections 1 and 2, so as to read, "no minister in charge of any congregation of this Church, or in the case of vacancy or absence, no Church Warden, Vestryman or Trustees of a congregation shall permit any person to officiate therein without sufficient evidence of his being duly licensed or ordained to minister in this Church. Canon XI, Title 1, section 1, and 2, are hereby repealed, provided that such repeal shall not affect any case of violation of said canon committed before this date, but such case shall be governed by the same law as if no such repeal had taken place." I would explain the changes that have been made in conformity with the various requests and suggestions received: the first of which has been in the title of the canon which was somewhat indefinite. The title as at present is, "Of persons not ministers officiating; but in order that the title might conform to what is in the canon itself, and might not by any possibility be distorted for controversial purposes or otherwise, we suggest the more definite phrase, "Of persons not ministers of this Church officiating in any congregation thereof." The next change by which the two present sections have been merged into one, is suggested simply by the possibility that the responsibility is not definitely fixed in the present canon. According to our former report, we regard the meaning of the canon as clear enough. It simply amounts in our judgment to this, no person shall officiate in this Church, unless he has some sort of license or authority so to do. That is the meaning of the canon in our idea; but as it reads at present, "no person shall be permitted,"—the responsibility of permission, does not seem to be sufficiently fixed; therefore, in order that the responsibility may rest upon the person who is really in charge of the congregation, we simply reverse the order of the words so as to read, instead of "no person shall be permitted," "no minister in charge," and so on, "shall permit any person to officiate therein without sufficient evidence of his being duly licensed or ordained to minister in this Church." This last phrase "being duly licensed or ordained," is meant to meet another difficulty suggested by the original memorialists, namely: It was supposed that the ease of lay readers was not at all provided for. Their case is undoubtedly covered we have substituted the words, "without sufficient evidence of his being duly licensed or ordained to minister in this Church," which, of course corresponds with the canon.

Then the last proviso is put in in conformity with what is required in the digest of the canons, where, in repealing any canon, this proviso is provided for, namely, Canon "11, Title &c, is hereby repealed, provided such repeal shall not affect any case of violation of said canon committed before this day, but such case shall be governed by the same law as if no such repeal had taken place." That I believe is a matter understood anyhow, but our digest provides some such *caveat* to be put in upon the repeal of the canon.

Rev. Dr. MAHAN—then moved that this canon, as thus amended, be adopted in the place of the present canon, No. 11.

Rev. C. P. GADSDEN:—There are very many portions of our dioceses, in the present condition of affairs, where, unless such occasional service were allowed to be performed by laymen, our people would be entirely without worship.

Rev. Dr. MAHAN:—My impression is that this proposed amendment would not prohibit a layman from officiating in such cases; but it seems to provide for all such cases: in shifting the responsibility upon the minister in charge, those extreme and extraordinary cases seem to be sufficiently provided for.

Mr. ————:—What does the chairman of the committee understand by the word "officiate," in that canon? I think it is very necessary that we should have an understanding of it. If the word officiate means simply claiming the position of a minister of this Church or any other Church, then it does not cover the ground suggested by my brother from South Carolina. If it means performing any service, under any and all circumstances, by any person, then it covers the whole ground; and no matter who the layman may be, or what he may be, he has no right to perform any service in this Church, according to that canon.

Rev. Dr. MAHAN:—I am not at all certain that an explanation, by the chairman of the Committee, would be any authority; I can only give my own opinion. By officiating, I would understand, a person performing some duty as though he were the proper officer to perform it. I would not understand by officiating, the case of a person merely acting for another in a certain capacity, as where the clergyman breaks down in the middle of a service, his voice fails him, and he asks some layman to go on reading service: that, I would not consider officiating. I suppose, by officiating, we mean the performance of some office by a person to whom it is ordinarily committed. But I do not pretend to be any authority. It would have to be determined by a court.

The report of the committee giving rise to debate, under the rules, it was laid upon the table.

Rev. Dr. HAIGHT reported from the Committee on Canons, in reference to the amendment of Canon 12, on Clerical Intrusion. The committee unanimously reported the following resolution for adoption, amending the canon by the addition of the following words: "Nothing in this canon shall be understood to forbid a minister of this Church from discharging all his duties as such in respect to members of his own parish who may be within the parochial limits of another minister, except the duties of preaching and reading prayers in a public congregation."

A motion was made to lay the reported resolution on the table.

Rev. Dr. HAIGHT:—What is the object of that?

Rev. Mr. LACEY:—The effect of that, as I understand it to be, is that the canon will remain as it is, rather than adopt that amendment.

Rev. Dr. HAIGHT:—Under the order of the House, if no motion is made to take it up, it remains upon the table, and can be called up.

The motion to lay upon the table was then withdrawn.

A motion was then made to indefinitely postpone.

The PRESIDENT:—That motion is debatable, but the order of the day has arrived.

Rev. Dr. RYLANCE—moved that the order of the day be postponed until some disposition be made of the report of the committee; which motion was amended by postponing the order of the day until 2 o'clock. Agreed to.

[On motion, a Committee of Conference was appointed on the part of the House, to confer with a corresponding committee on the part of the House of Bishops upon the subject of the amendment of the fifth article of the constitution.]

Rev. Dr. RYLANCE:—I understand the motion for an indefinite postponement is before us. I hope that this House is prepared to pass the amendment. It simply brings the letter of the law into harmony with the recognized action of the clergy of the Church. It saves us from the possibility of conflict between the letter and practice. We all of us know, by experience, that we are doing this now by sufferance. Let us do it by full and honest recognition of the right conferred upon us, or acknowledged by this House, and no trouble will come out of it. I believe it will conciliate much of the divided feeling upon this subject. In my opinion, it will be simply doing that which common sense and common honesty require. If we look upon it in this light, I believe we are prepared to vote upon it now.

Rev. Mr. GRAY, of Tennessee: It does seem to me that this is a very important amendment to consider, and one, if I understand it right, which I am not prepared to vote for at all. If I understand it right, a minister of another parish may come into my parish and may baptize in a private house, and he may perform the marriage ceremony there, for those whom he claims as his parishioners. They may be, ordinarily, but if they are in my parish for a large portion of the year, they are my parishioners. Yet he claims them as his parishioners, and follows them into my parish, and then baptizes, and performs other ministerial rites, and I have no right, at all, to interpose. Therefore I am utterly opposed to this amendment, and I hope the subject will be indefinitely postponed, or disposed of in some other way.

Mr. ————:—inquired where baptisms, marriages etc., would be recorded when performed by a rector within the limits of another parish?

Rev. Dr. HAIGHT said that in case they were performed for his own parishioners he would record them in the parish to which he belonged.

Mr. ————:—We have been told that no difficulty can arise under this canon with the exercise of proper courtesy. But this is a practical question. There are occasions continually arising when it will not be in the power of the clergyman sent for to obtain the consent of the brother clergyman of the parish. It often happens that the clergyman of



the parish is absent, and in such cases as this, under this canon, the person wishing to perform the service will labor under considerable embarrassment as to what course to pursue. This proposed amendment designs simply to save him from this embarrassment, and confer upon him, legally, the power to do that which he has now simply the right to do, by courtesy. For these reasons, I shall vote for the amendment.

A DEPUTY inquired whether an amendment was in order; but the President held that an amendment was not in order upon a motion of indefinite postponement.

Mr. ———:—I have no objection to the report of the committee as it stands substantially. I think it will remove some important objections in the minds of many members of this Convention, if it were freed from the implication that it may be the duty of a minister or clergyman to preach or read prayers in the service he is performing. It says, "except the duties of preaching or reading prayers." I think if these words are stricken out, it will leave it in a better shape.

MR. GEORGE S. LACEY, of Louisiana:—If these words are stricken out, I am ready to withdraw my motion for an indefinite postponement. My object is to prevent any thing but the reading of prayers.

Rev. Dr. HAIGHT:—That is precisely the object of our amendment.

Mr. LACEY:—I think, under the reading of the amendment, the service might be read in a private way without violation of the canon. It is for that purpose I wish this to be laid on the table, and the canon to stand as it is. If it will let a minister perform simply the marriage ceremony, bury the dead, and visit the sick of his parish, I can see no objection to the adoption of the report; but if it is to permit a minister to go within the parochial limits of another minister and in violation of the canonical law to read the public prayers and services of the Church, I desire to take a vote to give that curse the seal of condemnation on the part of this Convention. I wish to ask the meaning of those terms.

Rev. Dr. HAIGHT:—If I understand the gentleman, the amendment proposed by the committee is precisely in accordance with his views. It does allow officiating in the respects mentioned by him for a rector's own parishioners but does not allow him to read public prayers within the limits of another parish.

Mr. LACEY:—I do not understand what is meant by a public congregation. He may officiate for three or five persons in a private room. If that is a public congregation and if he is excluded from preaching, though in a private room, I have no objection.

Rev. Dr. HAIGHT:—I suppose a public congregation is a congregation assembling in a room which is open to anybody who chooses to come in, whether it is composed of five, or six, or eight, or nine persons.

A DEPUTY:—As one that seconded the resolution [indefinite postponement] I am unwilling it should be withdrawn. I think the amendment proposed will work trouble; we have not had difficulty as it has been heretofore. The acts have all been performed by courtesy.

Rev. Dr. ADAMS:—I will detain this Convention but a short time. A new state of circumstances has arisen within

the last twenty years. For instance, we have large cities extending endlessly, and the fact of the matter with regard to large cities is that there is a multitude of people in those cities who do not reside in them—who have their city houses, say for instance in New York city, and ten, twenty, thirty or forty miles out, their country houses; they go out every day; they sleep there. These places are as it were roosting places for people that have their business in New York. Most of these gentlemen who go out belong to city churches. Now I should like this Convention to consider the effect of this canon. Here, for instance, is a parish, we will say in Morrisania, outside of New York; and there is an Episcopal Church there. Under the present position of this canon every person belonging to the Church that comes within its limits, *pro hac vice*, is a member of that church. Here for instance, is St. Stephen's Church, and Trinity Church, in New York, some of whose members go out there, and they have a right to say, under this canon, we are members of Trinity Church, or St. Stephen's Church, New York, or anything else; our pastors can go out and minister except in certain given exceptions. I don't see but that will make endless confusion. I don't conceive that the Committee on Canons intend it should do so; but any man who has been connected with this Church will see that every city rector will be authorized to say to people "I am the pastor except that there is a little suburban minister here of no importance whatever." I say that a man who acts in the spirit of the Gospel would not act in that way. I say the majority of our clergy are honest men who have the spirit of the Gospel. I would again urge upon this Convention another ground of opposition. I brought it before this Convention the other day, that is to say, that this has been the law of the Church unchanged for seventy-six years; the words the same precisely and exactly. We are now asked to go in and change this canon under circumstances of very great excitement. The circumstances are these:—that this canon law for seventy-six years has had a trial upon it; that trial has been carried to its conclusion; there has been a court established and the sentence pronounced; the sentence has been executed; and the public is very much excited upon it one way or the other. I urge upon this Convention that if we touch this canon it would be simply condemning the plaintiff in that case, and an acquittal of him who is condemned—a stultification of our Church, and the condemnation of the court.

Rev. Dr. RYLAND, of Illinois:—I object to this. The amendment is not retrospective.

Rev. Dr. ADAMS:—I beg leave to say that I can carry out my argument in my own way. In the mind of the great public, outside of us, the effect of touching this canon will be simply to reverse that judicial sentence, to condemn the court, to condemn the Bishop; and to acquit the person who has been brought in guilty under it. For these reasons I think that the best way for this Convention is to leave that canon which has been in use for seventy-six years, as it stands, and then to have it clearly understood that three years from now, when this excitement has passed away, and men outside of the Church and inside of the Church have come to their senses; then we are willing to consider all objections whatsoever to the present canon and

make any alteration whatever that may seem suitable to the wisdom of the Church. But for the present we should leave this canon just precisely as it stands, and make no alteration in it. Whatever action may be taken upon this question of indefinite postponement or whatever else, these are my opinions and honestly before God I urge them upon the laity and clergy of this Church.

Rev. Dr. HAIGHT: There is an amendment suggested which I would be willing to accept. It will make the proviso read thus; "Nothing in this canon shall be understood to forbid a minister of this Church from discharging all his duties as such, in respect to members of his own parish who may be within the parochial limits of another minister, except that he shall not preach nor read prayers to any congregation."

Mr. LACEY:—I then withdraw my motion of indefinite postponement.

Rev. Mr. DASHIELL:—I renew the motion for indefinite postponement.

Rev. Dr. HOWE:—I wish to say, in reference to the remarks of the Rev. gentleman who has last addressed the House, that the modification of this canon which is hereby proposed, does not touch that part which it has been supposed was violated, and which it has been ruled in this diocese was violated in a recent case. It does not touch that part at all; it does not modify it in any one syllable. But I was going to say that, inasmuch as it does refer to other matters and bears upon exceptional cases in which a minister may officiate within the parochial bounds of another minister, in so far it goes to confirm that which has been already done. The exception confirms the rule is an old adage; and so far from clergymen following their parishioners and claiming their parishioners, as my Rev. brother from Tennessee who has spoken has alleged, it is not that the clergy claim their parishioners but that the parishioners claim their pastors, and that alters the case altogether. There are not to be found clergymen who will go to any other man's parish claiming their parishioners, but there are tender ties which grow up between a clergyman and his people that by no accidental and temporary removal can be severed. And in circumstances of sorrow and trial those people will desire the presence of their Christian friend and pastor, and there ought to be nothing in the canon law to break up such ties or rebuke such sentiments.

Rev. Dr. STUBBS:—Other questions are raised here than those having a reference to the past, with reference to which I wish to say a word; otherwise I should not open my mouth. This amendment will open the door for more mischief than has existed heretofore. I defy any one in this House to point out any instance where the clergy of other parishes have been prohibited, at any time, from visiting their parishioners under circumstances mentioned by the delegate from Pennsylvania. I defy any one to point out any instance where the law of courtesy has been broken, and where we have not been at all times ready to receive them with open arms and extend to them all the hospitalities and courtesies which are due from one Christian brother to another. It is a law of our common nature, our common humanity, and one which this canon cannot give were it enforced. It is already conceded; we want no canon to give us this law of courtesy. But this canon does recog-

nize what I am not willing to recognize, and what is utterly unchurch-like—that parishioners may go from one end of the country to the other, and keep up their ties with the church which they have left, instead of taking letters, as they should do, of commendation, and presenting them to the clergyman of the parish where they may go. There should be that confidence that when parishioners go to another parish, they should be commended by their pastor to the confidence and care of the pastor to whose parish they go; that is Christian-like; but the passage of this amendment will simply neutralize that sort of confidence which ought to exist among the clergy. If any member of my parish should go to some other parish, I would give him letters of commendation, and place him in the confidence and care of the pastor of another parish, knowing that he would look after him; and if I should be called upon to go there I should go. I maintain that is Church-like and Christian; and any canon which tends in any way to interfere with this state of things is unchurch-like and unchristian. Besides all that, this amendment exposes us to greater dangers; because now, if a clergyman goes down and officiates publicly, we know what he does and we can meet him; but, if you sanction the going out of clergymen to hold private meetings, then he is placed, as it were, beyond our reach, and you make a perfect nest of hornets in the parish; if you have any mischievous men and women there, you authorize this clergyman to go down and agitate with them and aggravate this mischief; and there we cannot reach him. He is not amenable to the law. We all know that at various times this thing has been tried, not only among us but outside of us; as, during the times of the great rebellion in England, the Roman Catholic Priests made mischief. They were sent there as missionary priests just in this way. In that manner they did more than any body else to subvert the throne and Church of England. Honorable men will not go for the purpose of making mischief; but if you allow mischief-making men to go into parishes, and other dioceses where the people are contented, to agitate and do this thing in private, you open the door to more mischief than ever yet existed in the Church. Why not let the canon stay as it is? If you make this amendment, you open the door to immense mischief.

Rev. WILLIAM NEWTON:—For myself, though entirely opposed to this canon as sought to be construed, I have no personal grievance; and I am thankful to say that I in part represent a diocese than which I claim there is no diocese more thoroughly loyal to all the canons and rubrics of the Church. It will be found that the heart of the Church in Ohio beats in entire and cordial loyalty to the canons and rules of this Church. Therefore I desire to say that while I think I am opposed to this amendment, not so far as the principle is concerned, but simply as a choice of evils, I would prefer to be under the present canon; if there is to be a pressure at all, I think it wiser that the pressure should come unalleviated in order that we may get in the future an efficient relief. For my own part I find no difficulty, if, as they seem to me, the intent and the spirit and the meaning of this canon could only be carried out. I know I am speaking against the sentiment of many upon this floor. But I must say that if one word should be construed in accordance with what I think is and has been the meaning of



one word as used in the various canons, all the difficulties would disappear from the consideration of this grave question,—and that is the meaning of the word parish itself. If gentlemen will turn to the canon, and the section immediately preceding the section under consideration, they will find what I understand it to be; “Every minister of this Church shall make out and continue as far as practicable a list of all families and other persons within his cure, and it shall continue for the use of his successor to be continued by him,” etc. The next section goes on: “No minister belonging to this Church shall officiate,” etc., ending with, “the parochial cure of another.” If we simply adopt what I understand to be a strictly legal idea, that you must extend to the same word the same meaning entirely through the canon, the word parish, according to this construction, means—not the parochial limits in a certain territorial or geographical space—but the cure of the souls of the congregation within the limits. I know very well that the words parochial limits are used; and the inference is that therefore the parish must take the meaning of these words, parochial limits. But I understand the parish to be the cure, the congregation, the church, the souls within certain geographical limits. It is a *non sequitur* that therefore a parish is geographical or territorial in its construction. Hence I find no difficulty whatever in this canon as it is. There is another point that is pressing upon the consciences of many members upon this floor, and that is that, as ministers of the Gospel of Christ, we are called upon to preach that Gospel without these territorial limits offensively urged upon us; and that, in the discharge of the duties which pertain to us as ministers of Christ—not in the discharge of the courtesies that belong to one another that we should be called upon to face the question of an inoffensive intrusion—we should be left to the discharge of our duties, under the higher and freer spirit, that belongs to us as minister of the Church in communion with which we stand. Therefore, it is for these reasons I feel that, if the spirit of the canon were thus followed out, and if the spirit of our great commission were thus followed out, there would be no difficulty in the case. For that reason, I think I shall vote against the amendment, in order that the pressure can be made upon all our minds.

Rev. Dr. PIERCE.—I will not keep the attention of the House more than two minutes. I am opposed to this amendment for three reasons. In the first place, because the only divisions that are proper in the Church of God are geographical divisions. Secondly, I am opposed to it because it strengthens a spirit of Congregationalism, which, in my opinion, is now the severest curse that the Church is afflicted with. And, thirdly, because I think that the whole canon may, as it stands, be improved, by saying no man shall officiate contrary to the prohibition of the minister, instead of requiring the permission. That, I think, would be a greater improvement, and would bring the canon into conformity with what is actually now the practice.

Rev. GEORGE N. JAMES, of Tennessee.—We are told that the amendment will introduce a new precedent—that the clergyman is allowed to follow up his parishioners. What effect will this have? Here is a man in

his parish, and has half a dozen of his people away in different parts of the country, and he is telegraphed to go and visit a sick parishioner. What is he to do with his congregation at home if he is to be, every now and then, with his parishioners a hundred miles away?

Rev. W. R. RICHARDSON, of Texas.—I have hoped very much that a certain point would be brought out which I think is very objectionable in the working of this proposed amendment to the canon. I have looked for those who are familiar with the canons of the Church and with the rubrical provisions also to bring out the point to which I refer. It is this. This proposed amendment will allow clergymen to go into other parishes and perform the rites of the Church—administer the sacraments—which by the rubrics are intended to be publicly performed. This amendment requires them to be performed privately, otherwise makes each travelling rector with a peripatetic commission a rector *pro tem.* of any parish in which his parishioners may be visiting. And he thus, if he obeys the rubrics of the Church, has to take possession of the church-building to administer the rites of the Church. That is a difficulty which I have not heard advanced by those so well versed in the laws of the Church.

Rev. Dr. RICHARD S. MASON rose to speak, when there were loud calls for the question, with reference to which—

Rev. Dr. LITTLEJOHN said: I for one have no desire to say a word upon this amendment. My own mind is clear about it; but I do claim that every member of the House should have the opportunity to utter his convictions without being gagged down by this cry for the question. It is not becoming the dignity of this body. We may be impatient to take the question; I have been myself; but I am unwilling, when a venerable member rises in his place, to see such demonstrations of impatience as these.

Rev. Dr. RICHARD S. MASON.—I have a few words only to offer. I am influenced by the example of our blessed Redeemer, who confined Himself to His parochial charge. Our blessed Saviour came as a minister to preach—the minister of God. He came as Redeemer of mankind. He came to be finally the King of kings and Lord of lords in His human nature. While He was upon the earth, and before His death, He was a minister to preach to the people of Israel. He therefore would go nowhere else. He says “I am not sent but unto the lost sheep of the House of Israel.” He sent forth His apostles and disciples, and said, “Go not into the way of the Gentiles, but go rather to the lost sheep of the House of Israel.” When He arose from the dead He gave them a general commission, confining Himself—if I may dare to use the expression—and His chosen disciples and apostles to their parochial province to preach to the Israelites. In my opinion a greater injury would result with reference to the cause of true religion from the faction and heart-burnings which are produced by any thing

like an attempt at intrusion, than by any thing like a proper restraint upon the preaching of the Gospel.

Mr. THOMAS B. LAWSON, of Louisiana.—An assertion has been made by the gentleman from Wisconsin, both to-day and in his speech yesterday, which differs from my memory on this matter. He asserts that this canon has always received favor. My recollection, then, is entirely at fault. That Rev. brother was a member of the Convention of 1859. Does he forget, that for two days, we discussed this very question, and that the great majority of the speakers who spoke upon this point spoke against the canon, pointing out its absurdities and contradictions? Yet we were compelled, for want of a better, I suppose, to retain the old canon. I voted, with many here, for a substitute which has been read by the gentleman [Mr. Conyngham] from Pennsylvania. That substitute shows that the gentleman is mistaken as to the facts. This canon has made more trouble in this Church than any other I have known. I have never heard of any canon with which dissatisfaction has been expressed more frequently than with this canon. It has a double edge. One of the edges, I admit, may be sometimes wisely used against intrusion; the other edge may be used for obstructing the Gospel of Christ; and that has been so used and may be used again. There are objections to the amendment before us; yet I would vote for the amendment for the purpose of giving my testimony that I desire some amelioration of the canon. For the same reason that I voted for the substitute in 1859, I will vote for this. That substitute was offered by a minority of the Committee on Canons, and showed that the Committee on Canons differed very much on the expediency of that canon. It shows that the Bishop of Pennsylvania doubted its wisdom. It shows that the President of this House believed the canon unwise, and that the other members of the committee took the same view. The memorials presented to this House show that many men have also felt that it is operating injuriously upon the interests of the Church. I say that it is wise to have some rule protecting the rights of presbyters; I am willing to have some such rule which may not at the same time be used to obstruct the presbytery of the Church in the work of winning souls. This amendment does not satisfy me. Yet it is some relaxation of the canon. Such is its object. We should endeavor to relax where we can the rigidity of this rule, and freely accord to our brethren the privileges that Christian courtesy will indicate. I desired this opportunity of recording my testimony in opposition to the fact assumed by the gentleman from Wisconsin that this canon has given constant satisfaction.

Mr. —: As an humble member of this Convention I have not troubled you with any remarks since I have been here, and I have listened with great interest to the discussion which has been had upon this matter. Notwithstanding all that has been said, I still adhere to my original views with regard to it, and that is that the

canon should not be amended. Those of you who are acquainted with the canon law of the Church know that in the substance and almost the letter it has existed since the Council of Ephesus. It has been enacted in the laws of Justinian; it is found to-day in every branch of the Church Catholic; and why this branch of the Church Catholic should be chafing, and so uneasy under the discipline of the Church that has come down from age to age, I cannot understand. There is something in this body that is aggressive against all canons. We are working to break down and build up in every direction. Instead of working wisely and harmoniously under the canons and rules of our Church as our forefathers did, we are constantly altering and changing until our canon law to-day is the most singular looking specimen of canon law I ever saw. It has amendment upon amendment and condition upon condition, until you can hardly tell what is the law of the Church to-day. The consequence is that this disposition to make law, and break law, and form new enactments, consumes our whole time, while there are a thousand things of ten-fold more interest to us. I cannot see why any man who holds himself to be a gentleman should ever refuse any one who wishes to come into his parish and perform any of the duties of his ministry. It has been done in every age of the Church; and I conceive that any Churchman who would refuse permission to perform those things which the amendment proposes, is unworthy of the name of gentleman. And why you should make laws in the Church to force men to do that which all Christian men ought to do and will do, is inexplicable to my mind. I do think that this work is certainly unworthy of men professing to stand here to represent a great branch of the Church Catholic. We are to-day stultifying ourselves.

Rev. Dr. ANDREWS:—This is an amendment offered by the deputy from Virginia. I move that the deputy from Virginia as the mover of the resolution have leave to speak, and that then we shall vote upon the question.

Rev. Dr. NORTON:—I have not one word to say in its defense, if it does not commend itself to the judgment of the members of the House.

The question was then put on the indefinite postponement of the proposed amendment, and the vote being taken resulted, yeas 122, nays 78; and so the question was indefinitely postponed.

On motion of Judge Battle, the proposed canon on the consecration of churches was made the second order of the day.

On motion of Dr. Adams, a canon commonly called the Hugh Davey Evans canon on marriage and divorce, was referred to the Committee on Canons.

On motion of the Rev. Dr. Adams, there was referred to the same committee the following resolution:

*Resolved*, The House of Bishops concurring, the following canon is hereby enacted: While our own collection of hymns usually annexed to the Prayer Book



is the hymnal of this Church, nevertheless any clergyman of this Church with the express consent of his Bishop, is authorized to use as supplementary any hymns in the underneath collections employed in our own Church:—Hymns, Ancient and Modern; Hymns for the Society for the Propagation of the Gospel; Hymns for the Church and Home. And this permission shall be applied for in writing.

On motion of the Rev. Dr. PITKIN, there was referred to the Committee on Canons a memorial in favor of power being granted, under certain circumstances, to remit six months of probation in the case of clergymen coming from other bodies.

On motion of the Rev. Dr. STUBBS, a canon of similar intent was referred to the Committee on Canons.

With reference to which memorial and canon the Rev. Dr. MEAD said:—The maxim which guides me in this matter is that of my reverend father, now in Paradise, Bishop Brownell, whose usual expression was "do not catch [fish] faster than you can cure [them.]"

Rev. Dr. MEAD, in behalf of the Committee on the disagreeing of the votes of the two Houses in regard to the creation of a commission on church-unity, submitted the following report:

The Committee of Conference on the resolution of the House of Clerical and Lay Deputies, passed Oct. 12, 1868, on the subject of the restoration of Church Unity, and non-concurred in by the House of Bishops, beg leave to report the following preamble and resolution, for adoption by both houses of the General Convention:—

WHEREAS the restoration of the unity of the Church is an object of vast importance, as without restored unity it would be impossible to fulfil her mission to evangelize the world; and whereas, in the opinion of many, the signs of the times clearly indicate that there is a strong and increasing desire among the churches and in the various denominations of Christians in Christendom to see such unity restored, therefore,

*Resolved*, That, with the concurrence of the House of Clerical and Lay Deputies, a committee may be appointed by the House of Bishops, from among their own number, who shall be an organ of communication with other branches of the Church and with the different Christian bodies who may desire information or conference on the subject, the said committee to be entitled "The Commission of the Protestant Episcopal Church in the United States of America on Church Unity."

Rev. Dr. MEAD:—This was agreed upon by the Committee of Conference, and a similar report has been, or will be presented to the House of Bishops. I move the adoption of the resolution.

Hon. S. B. RUGGLES:—Will the chairman of the committee explain why the clergy and laity should take no part in this commission?

Rev. Dr. MEAD:—For the reason that, in treating with other branches of the Church, they more naturally recognize the Bishops as their compeers. With regard to denominations in Christendom other than those who are branches of the Church, they would most naturally, if they wish to make any communication, communicate with the head of the Church in the dioceses, or with the commission appointed by the House of Bishops; and, although, in the original resolution, I desired, if it were compatible with the object which was sought, that there

should be an equality among the Bishops, clergy, and laity in the commission, yet, upon conference with the Bishops, we became sufficiently satisfied to believe that it would be better to leave the question, for the present, in the care of the House of Bishops, and be satisfied with what they should do. They may not have anything laid before them, because they are only to receive applications. They are to consider them, if made, and give answers, and finally report to the next General Convention on the subject. They have no power of action, except the power of conference; and, under these circumstances, I move, most cordially, that the House of Bishops be authorized, according to that resolution, by this House, to appoint such a committee of their own body. You will bear in mind this one thing; and this is a very important feature which I wish the House to understand, in view of its own position and self-respect. In 1856, irrespective of any consultation with this House, the House of Bishops appointed a commission of Bishops on this subject. They did not recognize the House of Deputies as co-ordinate in such an important matter. Here, the agreement between the committees of the conference is that they shall ask the House of Deputies to do that which they claimed they had a right, independently of the House of Deputies, to do in 1856.

Hon. S. B. RUGGLES:—It is understood, then, that they have no power of definite action without the assent of the Convention.

Rev. Dr. MEAD:—None at all.

Hon. S. B. RUGGLES:—Are we to concur in the committee they name?

Rev. Dr. MEAD:—I presume, if this House should pass that resolution, the House of Bishops will pass a corresponding resolution, and we shall have a message asking our concurrence; and when they appoint the commission, there is an end of it.

Hon. S. B. RUGGLES:—Then they have the sole power of selection.

The resolution was adopted.

Message No. 27, from the House of Bishops, gave information that that House had adopted the resolutions appended to the report of the joint committee on the Italian Reform movement.

Rev. Dr. MAHAN:—I move that a day be fixed for the consideration of this subject; and I would also move that the Rev. Mr. Langdon, who knows more about the subject than any of us, be requested to address the House on the subject. I make this motion because the subject is vastly more important than it appears at first sight, and one which it is difficult to understand sufficiently, until we have received every ray of light that can be thrown upon it. I have no doubt that his remarks will be of interest to the House, and might be the means of exciting greater interest in the subject. I move that it be made the order of the day for Saturday. [Which motion was agreed to.]

Rev. Dr. PIERCE, by general consent, presented a memorial addressed to the House of Bishops, with reference to the Nicene Creed; which memorial was signed by ten Presbyters of the Church. He also presented the same petition signed by the Right Rev. Dr. Southgate and others—clergymen of the Church from twenty-one different dioceses. He also presented a preamble and resolutions upon the same subject, adopted by the Diocese of Alabama.

Rev. Dr. RYLAND:—It becomes my duty to state that I had a petition sent to me, precisely in the words of the one just read to us, signed by about forty names. It was not from the Diocese of Illinois, but from individuals, clergymen and laymen, who signed it in the city of Chicago. It is not here, but I suppose it is proper to state that such a petition was sent.

A DEPUTY:—I hold in my hand a similar testimonial, from the Diocese of Indiana.

Rev. Dr. ADAMS:—I have instructions and petitions from the Diocese of Wisconsin, unanimously passed, in regard to this same matter.

Rev. Dr. LITTLEJOHN:—I must insist that the President will enforce the rule of the House which has made an order of the day.

On motion, the various memorials and resolutions were referred to the Committee on the Prayer-Book.

The House then resumed the consideration of the order of the day—the report of the Committee on Christian Education.

Rev. Dr. LITTLEJOHN:—I do not intend to say anything in advocacy of the resolutions offered by the Committee on Christian Education; they all relate to practical measures, about which I presume there will be very little difference of opinion. I desire during the brief time that I may address the House to speak to a matter of principle which I desire to embody in a resolution to be incorporated with those offered by the Committee on Christian Education.

I think it must be admitted on all hands that up to this time a painful contrast has obtained between our belief and our practice on the whole matter of education—between our practice and our principles, gathered as they are from the Word of God and the example of the Church in the age of her purity and of her power. About this I presume there will be no disagreement in this House. First, then, I hold that this Church does not expect to grow in the main, by individual conversions from without, but rather by organic expansion and development from within. In the statement of this sound principle, I think we have the real philosophy of all the Church's practical methods. I think here lies the key to the pervading genius of the greater portion of her practical work. This single principle, of necessity, makes this Church a training and a nurturing Church. And if there be one peculiarity or one claim more marked than another in her work for souls, it is this; that she does consciously and intelligently undertake, from first to last, to educate the Christian children into Christian men and women. It is, sir, that she is unwilling to treat the attributes and faculties of our nature except in their unseverable relations, if I may so speak, to a personal immortality.

It is that she values character more than knowledge; that she values life in the total expression of its responsibility rather than in the culture, however wonderful, of any one series of faculties in that nature. It is, moreover, that she is unwilling to look for a single hour, with toleration upon any distinction made between the food intended for the intellect and the food intended for the conscience and the will. This Church knows nothing of such a theory; it cannot be sound, in her standard nor in her Prayer-Book, nor in her history. I speak now of her theory as defined and embodied in her history. She is unwilling to look with favor upon that false and wretched theory of the day, which says to this teacher, "It is your business to take care of the brain;" and to that teacher, "It is your business to take care of the heart." The two fundamental principles upon which the Church is disposed to act in this matter, are these: *First*, That every child of hers shall be treated from first to last in the complete organic unity of its being. *Secondly*, That all knowledge of every sphere and of every grade shall be treated in practical subordination to the soul's health.

Now, sir, I presume that, in respect of these principles there will be no disagreement of opinion among the members of this House. Now, I beg to ask what has been our practice under these principles? We admit that we hold, and that we have always held them. But what has been our practice? It is not for me to arraign those who have hitherto fashioned the practical work of this Church. I do not desire to do it, nay, I shrink from the task of reciting the indictment which I believe the unfaithfulness of our past justifies. I decline utterly a criticism in this matter.

I say, notwithstanding what we have held and what we have taught in respect to this great interest, what is the fact to-day? Simply this: There is no other lack in the Church to-day so great as her lack of systematic, all-pervading care in the Christian nurture of the young living within her fold. There is one great power which she has permitted to lie unused, and that is the power of education. There is one great talent which God has given her, one that has more to do with the coming ages of the Church than any other which I had almost said—I hope I shall not be betrayed into any extravagant statement in so grave a matter as this—which, I had almost said, she has tied up in the napkin of chronic indifference, and buried in the soil of forgetfulness. Look at the facts as they stand. We have, by our missionary and parochial work in this country, achieved conquests which we have taken no pains to fortify and consolidate. We have multiplied our churches, dioceses, and parishes but—I beg careful consideration of this subject—have we in any corresponding degree strengthened our corporate grasp upon the future? No, sir, we have not. In my judgment, we have permitted one of the chief purposes of the Divine commission of the Church to become practically obsolete and an abandoned and surrendered function. Why, sir, I say with profound sorrow—but I can say no less if I speak what I believe to be truth in this matter—this Church, notwithstanding the position which she holds, and which I have just alluded to, has to-day no place of dignity or of power among the educators of this land. She is doing no work in this direction which inspires her friends with respect, or which creates a solitary fear among her adversaries. So



far from doing anything even in the least degree, to educate the children of this land, she has not so much as educated her own children. I beg to remind the members of this House of the statistics drawn from eleven dioceses of this Church, in the report submitted yesterday—the beggarly array of not quite two thousand children being educated by this Church in the eleven states of this country; and if the statistics had been presented touching the work done in the other states, I do not think the case would have been materially improved. Now, I hold these to be our principles; and I hold this unfortunately, disastrously, to have been our practice up to this time. Of course, there are some noticeable exceptions; they will readily occur to every member of this House. Having placed our faith and practice side by side, and shown how glorious the one is and how beggarly and insufficient the other is, I beg to ask, why is this? I have my own reason for it, and I shall venture to give it with all diffidence in presence of so many thoughtful minds. I shall speak, I trust, with becoming care in endeavoring to assign what I believe to be the reason for this sad discrepancy. Is it because the people of this Church have been lacking in intelligence and culture? Is it because they have ever undervalued their power, the power of intelligence and culture? Is it because they have failed to see the connection between a living aggressive Church and an educating Church? Is it because they have been too blind to discern an effect which may be read, as it were, upon the very sky and all around us, that the Church which educates most, extends widest the foundations of her power and holds most firmly in her grasp the generations which are to come? No, sir, it is for none of these reasons. It is because—and let us speak it; I desire to make a clean breast of the matter; no one is accused; I am simply speaking of what has been in my judgment our failure in the past, viewed as a branch of the Church Catholic in this great land—it is because we have held to theory and abstract ideas upon this subject, when the great and pressing realities of the hour have demanded action, action at our hands. It is, moreover, because we have listened very much to the vaguenesses, to the delusions, to the great promises, to the ingenious flatteries of what is known as the common Christianity of the country. Why, sir, the effete, the demoralized, the disintegrated Puritanism of the day, which has parted from every proper and safe guarantee of a positive faith, which is afloat itself and would put everything else in religion afloat with it, has gone through this land glorifying our popular education, and why? Because it was universal; not because it was *Christian*. And, sir, the Old-World infidelity of the Continent of Europe that has rolled in on us like darkening waves of a darkening sea of an old life, that has flowed in the wake of that same effete Puritanism, has cried everywhere, that this education is to be glorified because it is popular, and because it is universal, and not because it is permeated with any positive Christian influence. Here is where our fault has lain; we have not had the moral courage, the backbone, to stand up at our firesides and in the pulpits and protest against this, as required by every principle, in my judgment, and by every hope, and by every instinct of the Church of Christ.

Now, sir, I have stated what I believe to be our faith, and

what I know to have been our practice; and I have undertaken to give in a few words the reason why there has been this fearful discrepancy between them. I know I am treading upon what appears to many to be delicate ground. But I may not stop here without a few words more on another important aspect of this question. There are minds among us who in spite of all the facts of the age in which we live and the condition of our country educationally, still seem to believe that it is unwise to make any strong assertion of the Church's true position on this question. They hold to the principle, but they doubt the expediency of asserting that principle in any practical form. They are averse to any apparent direct ecclesiastical influence—to the exercise of any such influence in the work of educating the children of this land—and why? I can sympathize with their feeling to a certain extent, and yet I believe it is a feeling that ought not to be listened to, and should not be allowed any practical sway in this matter. They feel, judging from a great deal of experience in the past, that this question of ecclesiastical influence (as it is called) in education, has a narrowing and repressing influence. It depends entirely upon the quarter whence this influence comes. It depends entirely upon the manner in which this influence is exercised. It is a question of degree and quality. We all know how Austria has but recently shaken off that priestly domination that so long interfered with a free education in that empire. We all believe that Spain amid the throes of revolution is going to do the same thing. Those who are well informed upon the subject know that France chafes this hour under the Jesuit's sway over the education of the masses. No wonder that those countries and every country that has been so situated and under the ecclesiastical influence of the sort which they have felt, should, under the rising tide of modern liberty, reject and trample under foot that kind of influence. But I submit that we are charged with an influence. We are the administrators and servants of the Church that will wield another influence than that. Why, sir, the genius and life of this Church as certified by her history for three hundred years, are as widely apart from Sectarianism as from Popery. May I affirm what every member of this House will assent to, that this Church dreads the torpor of despotism, whether spiritual or intellectual, as much as she dreads the anarchy of an over-wrought individualism? No, sir, it belongs to the genius and life of this Church, it is incorporated into her framework, it has come to us from our fathers in the faith, naturally, easily, spontaneously to make room for the development of a free intelligence in every quarter, and a many-sided culture. In her, the life of the individual member and the life of the whole body meet and are reconciled. There is no antagonism of necessity there. I speak the language of the history of this Church. I recall what she has done for the English people to whom she has supplied the very props and buttresses of England's greatness, because she has been the mistress of knowledge and the guide from a fettered intellect in that land. She rejoices in and loves every impulse toward an educated reason; she rejoices with a joy unfading over every real, not sham, advance of human knowledge. And she proposes to develop, to educate the individual, not by absorbing him into the organic life of the Church, nor on the other hand by wasting

that organic life in the anarchy of individual impulse, but by gathering up these two co-ordinate forces which the great Head of the Church intended to move on together, each supplying to the other guidance, support, and vitality. While she holds such principles as these, it is impossible, in the nature of the case impossible, that she shall ever fetter the free course of human intelligence or hinder its wholesome development. If there be any great moral, if there be one great fact, that looms up from the past of this Church and her present, it is this, that she seeks peace and order through liberty; she seeks for liberty through and under law; and she seeks for the foundations of law in the righteousness of God as exemplified in the mission to our world, of the Son of Man.

Now, sir, holding these convictions as I do, holding them with an earnestness greater than I am able to express, the fruit of long and deliberate conviction on this subject, I venture to call upon this House not to dispose of this important subject, not to turn away from it, until they shall have put upon record a declaration in words of suitable emphasis and solemnity, that we believe that it belongs to the organic and corporate work of the Church of Christ to promote the Christian education of her children not less than to promote the great work of missionary extension. The two, sir, are co-ordinate. We have suffered thus far because we have attempted the latter, and we have not fortified and held the position by education which we have taken by our missionary zeal. I will not detain the House longer. I beg to offer this resolution to be appended to those offered by the Committee on Christian Education; and from its nature and significance, I think the proper place for it would be the first in the order of those resolutions, as it does not contemplate any practical measure, but simply the declaration of a principle—that principle to which my remarks have tended.

*Resolved*, That this House hereby declares its conviction that the Church ought to consider the Christian Education of her children as a work which she is bound to promote in her organic corporate capacity and, as of co-ordinate importance with her missionary work.

Mr. :—Have we rescinded the rule that limits us to ten minutes, or have we extended it?

The PRESIDENT :—I was about to mention with reference to that point, that, after the announcement made by the Rev. Dr. Littlejohn, last evening, when this subject was introduced, I considered that the House was consenting to his occupation of the time beyond that—assenting by general acquiescence in listening to the able and eloquent address which he has made upon this subject.

Rev. Dr. GOODWIN :—I have no sort of desire to speak more than ten minutes nor do I suppose I should speak so much. I have prepared no speech upon this subject; I had not expected to say a word upon it; and of course I cannot be expected, even if it were in my power to make great preparation, to speak with any eloquence. I propose to look at the matter simply in a practical manner; and I propose to speak upon it simply in a practical way. As to the resolutions which have been offered, I agree with them so far as I understand

them. As to the last resolution offered [by the Rev. Dr. Littlejohn] I see nothing to object to in them. The Christian education of our children is put into the hands of this Church; we ought to attend to it; but it seems to me to be put upon extraordinary and strange grounds as it is now presented. I hardly know, as it has been presented to us, what is meant by Christian education. I thought at one time it was presented in such a way that it would include all sorts of instruction. If I understood the gentleman, nothing could be separated from Christian education—that we are to teach our children Arithmetic, Geography, and the classics, and they could not be separated from a Christian education. I agree that it most certainly belongs to this Church to give a Christian education to all our children. But the position taken is that if our children want to learn any trade or handicraft, they must learn it in our schools—to be shoemakers, tanners, or whatever it be; and if they wish to be good lawyers, we must furnish them all the means, because it is all a part of Christian education. The common school system which is exploded before us proposes to teach certain other things; it does not propose to give a Christian education. And that is the fault that is found with it. It leaves out the whole sphere of Christian education. God forbid I should say anything against giving it to our people,—but why should I come here to say anything against other people doing good? If I am not misinformed, if I am not under a wrong impression, about the character and career of the late venerable Bishop of Pennsylvania, Alonzo Potter, he was a man who took the deepest and strongest interest in the general education of the country; not confining his whole heart and soul to what could be done within the limits of his own Church. Was he wrong? If Presbyterians and all the Puritan sects are effete and demoralized, yet, with all their effeteness and demoralization we leave the whole public school system of the country to them to carry on, and confine ourselves to our own limits, they will get an advantage over us—precisely the advantage which it has been allowed they have; for we have been told that those who educate the people of the country will have the future generations of the country. And, if I understand the proposition, it is to settle ourselves in hostility to, and not to take any sympathy with, others. I think it is a very bad policy. If that is the ground upon which it is placed, I am opposed to it. And I believe our Church is not growing exclusively by simply developing itself and educating its own children. I had hoped our Church might bring many others into its fold from without. I find the Church has made progress upon the population of the country—that where twenty years ago there were one hundred communicants in this Church to ten thousand population, there are now nearly one hundred and fifty to every ten thousand population. We have encroached upon the population. I rejoice in that progress. I would lay hold of everything that would help us on in that progress.



Let us by all means give a full Christian education to every child in our Church, and I would add as full an education as we can give in every profession; but that we are bound organically to act as a corporate body to go into all this work, all the minuteness of education, I doubt. At the same time let us do all we can. I doubt whether we cannot do more for our Church by preaching the Gospel and giving a Christian education, than we can by using the same funds and energies in those other fields. But let us do all we can; let us have colleges, higher schools, and seminaries; and let us, if possible, surpass the colleges and schools of other denominations in this country. I shall rejoice in it, and I think it will be a great advantage to this Church. I do not therefore dissent from the purposes and aims of these resolutions; but, if I understand the grounds upon which they have been put, I do dissent from some of those grounds. I think we are an aggressive Church, an encroaching Church; I think our grand business is preaching the Gospel; the more of all those other agencies that we can command, the better.

Rev. W. F. ADAMS:—I would like to say a few words upon this subject, especially upon that part which relates to the education of the children of the south. It was not my intention to say anything upon this or any other subject that should come up before this Convention. Thus far I have not done so. My mind was only changed by the report of the chairman of the committee upon the subject of Christian Education, yesterday evening, and the speech that followed it. Up to that time I felt more than an alien and more than a foreigner in what I had before believed to be the common household of faith. I have been suffering from that keen disappointment which a man feels when he is wounded where his affections are the strongest. If I know my own heart, they are strongest in that which marks the advancement and the glory of his Church. That disappointment was occasioned by what I have seen transpiring in this council, and in this country. For three years last past, I have taught with all my heart, with all my mind, that the Church was one, that the boundary line that inclosed one part inclosed every part, that its divided waters stricken asunder by no hand of man, but by the hand of God Himself flowed together in one unbroken current again,—that the banner of Christ went on undisputed, unburdened by any shock of discord. This was my impression, these were my feelings, and I was disappointed, sir. It was my opinion that all my teaching had been false, that it was a malignant, deceitful and cruel peace, in which there was no reality; and I was only shaken in this conviction by the report of that committee, and by the speech which was made by the gentleman from Virginia. Nay, not by these but by the feeling reception which was accorded to the speech by this House, for I expected all that from him—from a man where wisdom and eloquence and learning descend, as if by inheritance, from father to son, the utmost stretch of these cannot exceed

our expectations. I am thankful to Almighty God that this conviction was shaken, and that it was entirely eradicated by the manner in which that report was received,—the manner in which that speech was heard. Therefore I and others here rejoice that we have been thrown back into the arms of the Church, already filled with the living fervor of our own teaching. If there should be any inquiry made here why I should have had these views, and thoughts, I can give reasons which no one man upon this floor can answer. And I do not thus presumptuously throw myself before the ability, and the learning, and the age of this House trusting in my own ability. I have learned long since where is our strength—that it is in God and in His truth. I rejoiced to hear the words that were spoken by the gentleman who first called for the attention of this House and spoke of the duty of the Church, the duty of the hour. I have listened for weeks to addresses for Chinese, for Japanese, and for Cannibals in Central Africa, and for the Indians, but not one word, so help me God, have I heard concerning the lambs of our own household, the children, the offspring of the Church's own womb. Is not this enough to shake our conviction in this truth? We have heard these things, and a burning indignation, too profound for utterance, has stilled our hearts when we heard every woe but our own, when we listened to that Catholic and Universal charity which went around the whole belted globe, so diffused and so attenuated that it was invisible, affecting nothing anywhere, but touching every place. I ask you to bear with me. I am speaking what I believe to be true. If I speak unseemly, pardon me. But just reverse the situation; place yourself in the same position; look upon your churches burned down to the ground, or marred and blackened; look upon your altars burned and desecrated; look at your homes with their desolate hearths and the weeping forms around them of those you love; look at those unspeakable woes and griefs, and sufferings which have brought a whole Church into keen and living sympathy with that great passion of our Lord in His dark struggle in Gethsemane; and then imagine, if you please, the gentlemen from Virginia, Alabama, Louisiana, and South Carolina, asking you to make speeches for the Chinese, whose stone wall two centuries ago was prophetic of that stupid, isolated civilization which has marked her among the kingdoms and Empires of the world—to make speeches for the untamed and the untamable savages of the wilderness, against whom we can show ten sorrows to one—asking you to make speeches for Cannibals in Central Africa, to the neglect of your own children, the children of your own household, those whom you are bound by the law of God and by your own position to defend—and what would be your answer if on such a subject you could speak at all? What would you say? "The man that taketh not care of his own household is worse than an infidel," and so have we thought of you.

Mr. FAIRBANKS.—As a member of that committee

which has brought in this report, I propose to speak of the practical bearing of the first resolution, which was for the purpose of raising funds for education at the South. I do not propose, upon the present occasion, to endeavor at all to arouse the sympathy of this House by any pictures of desolation. I feel that the time of this House is too precious to do more than give a practical suggestion in reference to such aid as can be afforded for the special object proposed by the committee. In reference to a country whose accumulated capital of centuries has been swept out of existence, it is not necessary to say that such a country is poor. The South has been regarded as a wealthy country. It has, as a Church and as a people, in all its relations been a part of this common country, and has contributed liberally to all the institutions of the country. Yet the time has come when we are prostrated. It is only, I hope, a temporary prostration. It is a calamity which has overtaken us; our capital has been swept from us; we hope in time to be able to accumulate a new capital. But there is a generation passing before your eyes; that is the generation of sons and daughters of parents who have been educated, and who have now the pain of seeing their children growing up around them, while they are unable to give them such an education as they have themselves received. I know nothing can be so great a calamity as that the heritage of our children should be ignorance. We may be content to submit to privations, and to perform any kind of labor which may be presented. But there is a thing which we are not able to do—that is, to educate our children. This generation is unable to educate their children, and time will not wait. The boys will soon pass beyond the period when they can be educated, and they will be required to take their places in society without an education; and the Church will suffer largely by the withdrawal of an educated class from its councils. It is with that particular reference that this commission has been proposed by this committee, in order to give that temporary aid which is such a crying want on the part of the people of the South. We come forward here and make this statement—not in the way of an appeal to you—but in the way of presenting facts upon which you can draw your own conclusions. We ask nothing; we simply state these facts—facts that will appeal to the heart of every Christian Churchman, whether it is or is not his duty to remove a grievance so terrible to the people of the South. The statistics have been read in the report. I am not aware that in the southern dioceses there is more than one single Church institution that is carried on directly under the control of the Church. There are institutions in which clergymen of the Church exert a certain amount of Church influence; but I know of only one Church institution which is under the Church's control, and carried on under Church regulations in all respects. That, I need not say, is an institution with which I am connected—the University of the South—which was designed before the war to

meet the wants of a higher education, but is now organized on the lower ground of providing for the education of boys not yet prepared to enter upon that great work. Now in what way can this commission be effected? It seems to me the most effective way is through the plan proposed of having a secretary connected with that commission in each diocese, some person well known, appointed with the concurrence of the Bishop, who can afford to that commission directly, information upon the question of fact as to what aid any section of the country can afford to give. This statement is made by one Bishop. He says there are fifteen young men in his diocese who are anxious to be educated for the ministry, but who have not the means, nor has he the means. One presbyter wishes to afford aid in the education of a young man for the ministry. A certain school is named. The young man can raise a certain sum, but lacks say one hundred and fifty dollars. That amount can be applied in that way, and every dollar, gentlemen, will go directly for the purpose of educating some meritorious young man belonging to some family in a section of the country where his influence will be enduring. In former times the young men of the South were sent to the North. It was deemed necessary to have a classical and professional education. A professional education was common through the whole South. But it is now important that these young men should be educated at home, because their influence as churchmen is largely enhanced at home, and also for the reason that the expense of coming and going would defray half the expense of an education at home. We can educate them much more cheaply there than they can be furnished with an education at the North. We can furnish a first-class institution for three hundred dollars a year, and cover all expenses. We cannot send our sons North to be educated at the present enhanced rates; but we can educate them at home, and this commission is the only practical thing that can aid us.

Rev. HIRAM W. BEERS, of Wisconsin:—In relation to this matter of education in the Church, it is observed here that education is the one grand form of popular influence that is being used on all hands for the accomplishment of the purposes had in view. It is admitted even by the gentleman from Pennsylvania who spoke in opposition to the first address on the resolution that the common school system is not a Christian system. It is gloried in by many of its advocates for the same reason. Now, without attempting to condemn that system, without undertaking to say aught against those who have advocated and maintained it, I think we are warranted and to be justified in this General Convention's saying, that it does not answer our purpose—that it is a system in conflict with our system—that our children educated in this system are taught to disregard the system of the Church in the arrangement of the Prayer Book for the celebration of Divine worship, which is part of the system of training the young, and part of the



system by which sponsors, parents, and rectors can redeem and fulfill their promises made before God. Except for one day in seven, when children are educated in the public school, at the hour of Divine service they must go off in one direction; and if the parents are careful observers of the order of the Church, they start off in another direction, the one to school and the other to religious duties. Now, can this go on during the period when the minds of children are forming their habits without practically influencing the direction of their conviction and of their lives? Universal popular education in the broad sense is a grand thing—not educating the sons and daughters of the wealthy and high-born alone, but the sons and daughters of all the people. As long as that is accepted as a fine thing and reduced to practice, the Church must take up the work of educating her children, or the system takes up that work, and does it without her in a manner that is for her disadvantage. I appeal to the rectors on this floor whether they ever took in their arms a little one to baptize in the name of the Father, and of the Son, and of the Holy Ghost, and listened to the obligations assumed by the sponsors without a sad feeling that the future performance would illy correspond with the breadth, the solemnity of that engagement? And this is not so much the fault of sponsors and parents as it is our fault. If there were no system of general education, our duties would be different in the premises; but this system exists, and there are two grand reasons why we must adopt a system of education that will correspond with the system of our Church, if we would maintain our footing: the first is that it is necessary for self defence, and the second is that this is an aggressive Church. To save our own we must do this; and, if we would gather from those beyond our fold, we must do this. I believe that the mind of the Church is ready for these measures of universal education. I have no doubt of it. It is perfectly surprising to find what a general distrust there is in every community, of the popular system of the present day as respects the morals and manners of the children, and how ready they will accept any opportunity that offers a better condition of things and a better result. It is not sufficient. I think the indications are very plain in this land, on every hand, that this is not a sufficient education which addresses itself to the intellect alone. As the result of that system we are to-day more threatened with the sublime impudence of the so-called liberalism that challenges nearly everything in Revelation, and in the teaching of the Church, than we are by Romanism. We have as the result of this a Christ without a sacrifice, and a Christianity without a sacrament, and a faith without an object, as embodying the most popular form of religious tendency that reveals the current of the age. And in place of this form of education that deals with the intellect alone, we must inaugurate and institute a form of education (as well put by the gentleman who first occupied the floor on this subject) that will deal with every aspect of the nature of the child, teaching it

to observe all things that Christ has commanded; and He has promised in this work, as well as in the great work of preaching the Gospel, to be with us always even unto the end of the world.

Rev. Dr. TUSTIN, of Michigan:—I wish to speak to the resolution in hand, and in speaking to that I shall offer a reason why we should take a vote upon that resolution that will make my remarks pertinent. I propose to state a reason why we should bring this resolution to a vote. I suppose there is no assembly of two hundred and eighty men anywhere to be found, as on the floor of this House, more intelligent or more thoughtful, who might be considered as a whole a body of educated men, if not technically educated, yet practically, self-educated, thoughtful, deliberative men; and no body of men probably can be found who have thought more on the subject of education, or become more familiar with it through the press, all the various forms of the press, books, articles, pamphlets, circulars,—all means by which information can be imparted. I think we are prepared to state our firm convictions so well brought out and stated in these resolutions. My reason for urging a vote upon these resolutions is that we are now within three and a half days of three weeks of deliberation in this assembly. I take this opportunity of bringing this matter to the notice and recollection of the House, and hope we shall at an early moment fix the day of adjournment.

Judge HUGH SHEFFEY:—Amid the surging waves of desolation that have swept over large portions of our country within the last six or eight years, the diocese which I have the honor in part to represent has been, I am sure, a sufferer to an extent equal to that of any portion of our afflicted country; and I do not, Mr. President, desire to underrate the wants of my native home, my beloved diocese. But, sir, I came to this Convention, I trust, animated by a conservative feeling and the fraternal affection of a churchman of the General Church. I did not come here, sir, expecting to find antagonism against me or mine. I knew that I should find extended to me and to those with whom I am associated, the right hand of Christian and kindly fellowship; and I am profoundly gratified above all to be able to say that every thing that I have seen—every manifestation of spirit that I have seen developed here, has but convinced me the more that the Church of my choice and love is stronger than party, more powerful than sections. [Applause].

Mr. President, I love this Church with all the strength of unutterable love. I am from Virginia, and I trust that in saying that I am from Virginia, I may be permitted to say that I but echo the sentiments of that united diocese, when I say the utmost earnestness of her nature is concentrated in her devotion to the Church.

Permit me then to say that this being the feeling of those that I represent, however our wounds may be gaping, and our desolations may be thickened upon us,

we still feel that you of the more favored portions of the Protestant Episcopal Church everywhere sympathize with us, and that you do feel kindly towards us, and that to the extent that God may give you the means, you will, without my coming as a mendicant or a suppliant to your doors, come, as generous, noble-minded Christian gentlemen, and Churchmen, to the relief of the common heritage from a common calamity. [Applause].

The following resolutions were then acted upon separately and adopted.

Message No. 27, was received from the House of Bishops, asking for the return of Message No. 15.

The House then proceeded to the next order of the day, Mr. Taylor's resolution concerning alterations in the Prayer Book, namely,

*Resolved*, That it is inexpedient to make any alterations in the last standard edition of the Book of Common Prayer.

Mr. TAYLOR, of Virginia:—I do think, sir, that the Book of Common Prayer is enshrined in the affections and memory of us all, and needs no advocacy at my hands. Therefore I do not rise to make a speech nor to support the resolution. The resolution sufficiently explains itself. If there are those in this Convention who say there are defects in it, the resolution affords the opportunity for all such to offer their propositions upon that subject, which I desire to meet with the antagonistic resolution that the adoption of any counter-resolutions by this Convention is inexpedient. I do not think that the Book of Common Prayer is absolutely perfect. It is the work of men, but the work of men who, I have been taught to believe and feel, were almost Divinely inspired. In this day of novelty and love of change, this desire to uproot all ancient institutions, I, for one, prefer to stand by this Book of Common Prayer which was given to us by our fathers' fathers, and I am afraid myself, and I am afraid to trust the members of this Convention, to make a change, and I hope therefore it will be the pleasure of this body to declare that it is inexpedient at this time to make any change in the standard edition of the Book of Common Prayer.

Judge BATTLE, of North Carolina:—I believe the gentleman from Virginia does not exceed me in reverence for the Book of Common Prayer. I am as much opposed to any alteration as he or any other gentleman can possibly be. I had the honor of concurring with my venerable friend from Maryland [Judge Chambers] in opposing every proposition that was brought forward for the purpose of changing the Book of Common Prayer; but still I am not entirely satisfied with the policy of adopting the resolution that is offered by the gentleman from Virginia. I have not heard as yet any resolution, nor any motion, nor any proposition of any kind, emanating from any gentleman of this Convention, tending towards a change in the Book of Common Prayer. Until some such indication appears in this body, it seems to me that we would rather throw out to the world the idea that we were afraid that the Book of Common Prayer was about to be changed. It is for

that reason, although I concur fully in the sentiment which the gentleman from Virginia entertains, that I shall feel myself compelled to vote against his resolution. If I thought there was any proposition, either introduced or about to be introduced, for the purpose against which his resolution seems to be aimed, then I would heartily concur with him; but it does seem to me that by adopting that resolution we publish to the world that our Book of Common Prayer is about to be tampered with; and for that reason I object to the resolution.

Hon. S. B. RUGGLES:—We have referred to the Committee on the Prayer Book a question of the greatest possible magnitude concerning the very foundation of our religion; to wit, to ascertain what is our creed, whether the Nicene Creed is genuine or mutilated. It is a question of the greatest possible magnitude, lying at the foundation of our faith—a question which agitates the world, and which is the subject of proximate intercourse between our Church and the great Reformed Church of the East. That question has gone to a competent committee, a question which our scholars and theologians are very competent to consider in all its great magnitude. If they should decide that the Nicene Creed in the Prayer Book is not truly the Nicene Creed of antiquity, sanctioned by the General Council, they will give us a report to that effect, and spend the next three years in collecting information upon the subject. We have made a reference of that subject to the committee. To pass this resolution would be very inconsistent with that action.

Rev. Dr. HOWE:—The gentleman from Virginia in stating his point put into his remarks, though it is not in his resolution, that it is inexpedient at this time.

Mr. TAYLOR:—All that this General Convention can do will be to make a declaration for itself. Any resolution of this Convention will not be binding on the next Convention; it is only the action of this body.

On motion of JUDGE BATTLE, the resolution was referred to the Committee on the Prayer Book.

The House then proceeded to the consideration of the third order of the day, Dr. Mahan's report from the Committee on Canons, for the amendment of Canon XI, Title 1, sections 1 and 2, so as to read as follows:

*Canon XI, of persons not ministers of this Church officiating in any congregation thereof.*

No minister in charge of any congregation of this Church, or, in case of vacancy or absence, no Churchwarden Vestrymen, or Trustees of the congregation shall permit any person to officiate therein, without sufficient evidence of his being duly licensed or ordained to minister in this Church.

Canon XI, Title I, sections 1 and 2, is hereby repealed: *Provided*, that such repeal shall not effect any case of a violation of said canon committed before this date; but such case shall be governed by the same law as if no such repeal had taken place.

Rev. Dr. CRANE:—I move an amendment of the first section. I make the motion for the purpose of relieving that canon from some objections that have already been made. I wish to place that section upon ground



entirely distinct from any reference to the question of orders outside of this Church, whether valid or invalid, perfect or imperfect, I wish to place it simply upon the ground of a police regulation for the purpose of defending our standard of faith and our prescribed mode of worship. We have a standard of faith, and a prescribed mode of worship, and, in order that we shall secure that to all our congregations, we must have control over the persons who are to officiate; and I wish simply to place it on that ground. As to the word officiate, we need not discuss that. I understand it to be simply this—a man officiates when he stands forward and discharges a duty in favor of the office he professes to hold. We have the word officiate in the eleventh canon now; and its interpretation as given there may be given here. I propose to amend this first section by striking out all after the word being, and adding, subject to the jurisdiction of this Church, or of some Church in communion therewith, and then to add a proviso, “provided nothing herein shall be so construed as to affect the case of lay-readers.” I am satisfied with the title as given to the canon; but I wish the first section to read as I have proposed.

Rev. A. A. MARPLE, of Pennsylvania:—Will the gentleman accept the amendment, “licensed lay-readers?”

Rev. Dr. CRANE:—I am sorry that I cannot accept that; but I think it is usual everywhere, at any rate in that section of the country where I know anything about the Protestant Episcopal Church, for persons to be occasionally called in as lay-readers, who have not a license. They come in for a present emergency; and I see no reason why a respectable, intelligent man may not, in an emergency, read the service in our Church; and it is perceived that no person is allowed to do that unless he is subject to the jurisdiction of the Church.

Mr. CHURCHILL:—With reference to the proposed amendment to the amendment, I wish simply to bring forward a difficulty that is found in an existing fact in my own parish. There were several chapels connected with the parish-church which were attended by the minister of the church, who has recently resigned. In the absence of the rector of that parish, those chapels have no one to attend to them. I have been informed, since I have been in attendance upon the Convention, that a layman of the parish has opened a church by rendering lay service there. It would be impossible, at this time, for him to have procured any license. It is an emergency that would not be provided for by the canon if that were introduced. I hold that it would be unwise to place so many restrictions around these things. That sort of emergency cannot be prevented. We have laymen who render most efficient service, by doing much reading of this kind. I hope no restriction will be placed over them.

Rev. Dr. PETERKIN, of Virginia:—I do not wish to make a speech; but only rise to say that I hope this subject will be fully ventilated before we make a

change. I do not doubt that there are persons better acquainted with it than I am, and I rise to beg them to give whatever information they can in regard to the origin and the practical working of the canon. Some of us know that about thirty or forty years ago this canon, under another number, was absolutely abrogated by the clerical and lay Deputies; that the House of Bishops refused concurrence with the abrogation, and gave their reasons, which were very good and very satisfactory. I would like to know whether the canon, as it now stands, has wrought any evil in the Church, or whether it has not been sufficient to cover all cases. I think it is generally understood that it answers the purposes for which it was originally enacted; and I therefore earnestly hope that, before any alterations shall be made, which may seem to be only verbal emendations but will alter the whole canon in its spirit and intent, somebody, better acquainted than I, will give some account of its origin.

Rev. Dr. GOODWIN:—I have no objection in practice that I know of to the canon, as proposed by the committee. I think that this Convention has perfect power to pass such a canon. It is perfectly right for the memorialists to ask for the abrogation of the old canon. They sought, perhaps, something different from this, but it is for the Convention to say what else they will substitute for the old canon. It is perfectly clear, to my mind, that this Convention could not alter the doctrine of the Church. As far as regards the doctrine with respect to the ministry of the Church, that is contained in the articles; and we cannot alter the articles, nor any part of them, without taking three years. And an interpretation of any of the articles would be, to all intents and purposes, an alteration of the doctrine of the Church. But I do not understand that the proposition of the committee, or the proposed amendment, interferes with the doctrines of the Church with regard to the ministry. This is a police regulation of a practical matter. We are to look at it as a practical matter. I have no wish, as a clergyman of this Church, to depart, in practice, from either of the methods here proposed. If any body else has a desire to depart, the Convention has a right to check him. But I claim the right to hold and believe that the Presbyterian Church of Scotland is a true Church of Christ, and that the Church of Rome is a true Communion of Christ, though corrupt. So may the Greek Church be a true Church of Christ, though irregularly organized. So with regard to the ministry, it is perfectly competent for this Church to keep irregularly ordained ministers from her borders. This is entirely for the ministry of this Church. I should still hold myself at perfect liberty to maintain, until the articles of this Church are altered or differently interpreted by proper authority, the same opinion I have always held. I hold that the canon does not teach that doctrine at all; and if it did, it would be void, because we cannot interpret the doctrine of this Church by a canon. I am pleased with one thing that has happened. I have sometimes referred to usages as authority in this Church, when canons seemed to touch absurdities. I have been taught by the Committee on Canons, in regard to even a constitutional matter, that usage will overrule the constitution; that where the constitution

has not allowed a thing to be done, they say it may be done because usage has settled that it may be done, in other cases. In regard to lay-readers, it is not, perhaps, understood by many that our canons do not require any lay-readers to be licensed, except candidates for orders. I therefore object to the word licensed being introduced. Although we may refer to usage when laws *exist*, when we are legislating, we ought to provide for exactly what we mean. If we do not mean to include lay-readers, let us say so.

Mr. ————:—There is one point that has been overlooked. The canon, as it now stands, does not prevent the vestry or clergyman from loaning the church to another congregation; but, I understaud, the new canon, as now read, does prevent the minister or vestry from loaning the church.

Rev. Mr. MARPLE:—The reverend gentleman [Dr. Goodwin] has told us that no lay-readers are under restraint, except those seeking orders. It is on that account that I desired the honorable gentleman from Rhode Island to incorporate the word "licensed." The lay-readers are under no authority, whatever. It touches precisely the case of the gentleman who spoke of a parish that had been destitute of a pastor for a long time. I think that it is all important that lay-readers should be licensed.

Rev. Dr. ADAMS:—I have a few remarks to make to this Convention in reference to this matter. In the first place, I will say that we have one great deficiency—Hugh Davey Evans is dead, and our greatest canonist, Murray Hoffman, who ought to be on the Committee on Canons, is not here. I will say that I think there is a point which, if Evans or Murray Hoffman were here, would be brought out to this Convention, and which will settle the thing, if this Convention will take it into account. I would call the attention of the Convention to the fact that ecclesiastical canons ought to be interpreted ecclesiastically. If you have a legal word you interpret it legally; if you have an ecclesiastical word you interpret it ecclesiastically. Now, I do not profess any peculiar knowledge in this matter of canonical lore. I profess to know one little thing, that is, that the word person is an ecclesiastical word. It means a man who professes to be a clergyman; and I think that point comes in here distinctly, that the word person is an ecclesiastical word, that it distinctly says, in ecclesiastical phrase, "no man that claims to be a clergyman in any shape or form has a right to come into any church or congregation of this Church and officiate in it, except he has shown satisfactory evidence that he is a *persona* of our Church." I think the canon expressly says with regard to any one whatsoever who professes to be a clergyman, a *persona*, a person in ecclesiastical phrase, that he is not to officiate except he has produced evidence that he is a minister of our Church, and that he has produced this evidence to the priest in charge, or, in case of vacancy or absence, to the church-wardens, vestry, or trustees of the same. That is the meaning of the canon, I assert, ecclesiastically. There is another matter that will strengthen this view, that is to say, the word officiate, means to act as an officer in virtue of his office, to perform the official acts of another. That is the definition of Webster. This canon expressly declares that it is impossible for clergymen professing to be clergymen of any other denom-

ination or Church, to officiate in any church belonging to this Church, except they have produced evidence that they are ministers of our Church. But I will admit very clearly and candidly that the word person has changed its meaning, and that, in the apprehension of a good many, it signifies anybody whatsoever—it signifies an individual; and therefore it is understood by us that no individual, clerical or lay, shall be permitted to do so and so; and in reference to this we have a matter introduced about lay-readers, not for the sake of any reality about the thing, but for the sake of taking the canon up and destroying it. Now, I think that the Committee on Canons, if Murray Hoffman were among them [laughter], would have introduced this point that I have noticed. I believe there are men as able as Murray Hoffman, as intellectual as Murray Hoffman, but in his way I understand as a canonist there is no man so great in the Church [voices:—State the point again; we don't hear. Rev. Dr. Adams, speaking louder:—] The point has been stated clearly. I will make the gentlemen hear before I am done. I would say that this word *persona* is an ecclesiastical word, which means a clergyman in the ecclesiastical use, and which means so undoubtedly in the phrase in this canon. If we had such a man as Murray Hoffman in this House or on that committee, that matter would have been understood. I would say that this word, *persona*, or person, has perhaps in the ordinary sense changed its meaning, and that it means an individual; and that therefore very good honest men in the Church are inclined to read the canon as meaning "no individual shall be permitted to officiate." I think that would be changing the meaning of the canon by a word having lost its use. I think that the best way with regard to any canon whatsoever, is not to make such extensive alterations as the Committee on Canons have made upon this point, but simply to bring out the intent, exactly that which has been understood at all times to be the meaning of the canon, and that can be done by a simple alteration which I shall propose as an amendment. Now I would say a little with reference to this matter of lay-readers; and the question comes in upon that ground that person means anybody. I think the matter of lay-readers may be laid aside, and that the proper method is not to bring it in with reference to this matter, but to make it the subject of special enactment, putting them under laws and rules which are righteous and just, but not by enactment bring them into a canon which has reference to the clergy. That is a sufficient answer to everything that is said with reference to lay-readers.

Mr. CORNWALL—made a motion that on Tuesday, after religious services, the House should adjourn *sine die*; which motion was not acted upon, the hour of adjournment having arrived.

#### FIFTEENTH DAY'S PROCEEDINGS.

FRIDAY, Oct. 23, 1868.

The House met pursuant to adjournment.

Morning Prayer was said by the Rev. J. S. Hancel of South Carolina, and the Rev. Dr. Crane of Mississippi.

The Benediction was pronounced by the Bishop of Wisconsin.



The journal of yesterday's proceedings was read and approved.

On motion of a Deputy from Vermont, a committee of two was appointed to confer with the House of Bishops with regard to the time of adjournment.

On motion, the time of sessions was fixed from 9 to 4, without recess.

Mr. Cornwall's resolution, the House of Bishops concurring, that this House adjourn on Tuesday next was agreed to, and was referred to the Committee on adjournment.

Rev. Dr. HAIGHT—presented a report from the Committee on Canons, with reference to message No. 19, from the House of Bishops, proposing an amendment of article 3 of the Constitution, by the omission of the following words: "in all cases the House of Bishops shall signify to the Convention their approbation or disapprobation, the latter with reasons in writing, within three days."

The Committee reported a resolution of non-concurrence with said proposed amendment, for the reason that it was deemed inexpedient. Dr. Haight remarked that the effect of the adoption of the amendment proposed by the Bishops would be to relieve the House of Bishops from an obligation to signify to this House their approbation or disapprobation within three days, as the custom has been for a long time. The committee are of the opinion that in the present state of the two Houses, the House of Bishops sitting with closed doors and this with open doors, it would be almost impossible to ascertain what is going on in that House, if this amendment were adopted. It is therefore expedient not to annul this provision. The reported resolution of the committee was then adopted.

Rev. Dr. HAIGHT, from the Committee on Canons, made report No. 3, with reference to message No. 16 from the House of Bishops proposing an amendment in section 16, Canon 13, Title I., to the effect that consultations of the bishops with reference to the resignation of a bishop should hereafter be by correspondence. Considering the importance of the business, the committee were of the opinion that it was not expedient to concur in said amendment, and for the reason that, in all important matters, it is expedient that the bishops should not act separately but should meet for mutual consultation and deliberation. The report of the committee was adopted.

Mr. ———, from the special Joint Committee on the republication of the early journals of the Convention, reported that there had been up to a recent date the same general apathy with respect to their work existing throughout the Church, hindering the early success of their labors; that there had not been found a publisher willing to undertake the publication of the second volume; that the stereotype plates of the early journals of the Convention had been purchased by one of the committee at a cost of \$250. The committee

reported resolutions (which were adopted) to the effect that the secretary of the House be authorized to make the purchase of the stereotype plates of the early journals of the Convention at a cost not to exceed \$250; that the Committee on republication be continued as now constituted, with the power to enlarge its numbers.

A communication was received from the registrar of the Convention inquiring as to the extent of his powers with reference to seemingly conflicting provisions of one of the canons.

Rev. Dr. LITTLEJOHN, from the Domestic and Foreign Missionary Society, and acting jointly under the direction of the House, reported the following resolution:

Resolved, the House of Bishops concurring, that an amendment be made to article 4 of the Constitution of the Domestic and Foreign Missionary Society of this Church, so that it shall hereafter read as follows: "To the Board of Missions shall be entrusted the consideration of the practical work of the Church, and the supervision of its general Missionary operations, with power to establish Missionary stations, appoint missionaries, make appropriations of money therefor, and regulate the conducting of Missions, fill any vacancies in their number which may occur, and also to enact all by-laws which they may deem necessary for their own government and the government of their committee. Provided, always, that in relation to organized dioceses having bishops, the Board shall regulate the number of missionary stations, and with the consent of the bishop shall select the stations."

"The Bishop and Standing Committee of each diocese may appoint substitutes from the same diocese for such members of the Board as may be unable to attend its meetings."

Rev. Dr. LITTLEJOHN:—There are but two changes proposed by this amendment in the article. Those changes are, first, to insert after the words "Board of Missions shall be entrusted," the words "the practical work of the Church;" secondly, the Bishop and the standing committee of each diocese may appoint substitutes from the same diocese for such members of the board as may be unable to attend these meetings. The changes proposed in this amendment have been agreed to unanimously by the Joint Committee, consisting of the Committee on Canons, and the Domestic and Foreign Missionary Society. The proposed amendment was adopted.

The PRES'T—announced as the Committee on adjournment; Rev. Mr. Bliss, of Vermont, and Mr. Cornwall, of Kentucky.

Dr. SHATTUCK, from the Committee on Clerical support, reported resolutions which with various accepted amendments, are as follows:

*Resolved*, That in the opinion of this House, it is a solemn and urgent duty of each and all of the lay members of the Church to make systematic and constant efforts for the better maintenance of the clergy and of their families.

*Resolved*, That this House approves of and recommends the establishment of incorporated societies for the relief of the widows and orphans of deceased clergymen, as well as of those clergymen who are disabled by age or infirmity,

and that in this or some other way, each parish should be making provision for its own clergy.

*Resolved*, That the lay-members of this House recommend that after due notice a collection be made annually during the seasons of Advent, Christmas, or Epiphany in every parish, and that one-half the sum thus gathered shall be appropriated by the wardens and vestrymen in some way towards the better maintenance of the clergy of the parish or diocese, and the other half shall be sent to the Treasurer of the Board of Domestic Missions, to be by them distributed amongst the clergy of the Southern and Missionary Dioceses of the Church.

*Resolved*, That the Committee on Aid to the Clergy be directed to confer with the Bishops and clergy of this city and vicinity, and to ask that measures may be taken so that the attention of the people be called to the physical and spiritual destitution in the Southern Dioceses, and that collections be made on Sunday next.

*Resolved*, That the House of Bishops be respectfully requested to present prominently in a Pastoral Letter, the suffering and wants of the clergy of this Church in many portions of our country, and the vital necessity of prompt and efficient relief.

*Resolved*, That a committee of one from each diocese be appointed by the President, and it shall be the duty of each one to call the attention of the brethren in his diocese to this important matter and to the measures recommended by this House.

J. W. VAN NOSTRAND.  
CHARLES BRECK.  
GEORGE C. SHATTUCK.  
SAMUEL B. RUGGLES.

The resolutions were then adopted.

Rev. Dr. HARE—offered a resolution to the effect that the action of the House making the Provincial system the order of the day for this day, be rescinded, and that the same subject be the order of the day for Monday next, with the view of having printed the proposed canons in relation to that subject.

Attention was called to page 141 of the Journal of 1855, to the message from the House of Bishops, informing the House of clerical and lay deputies that the former House had non-concurred with the latter in the adoption of the canon for a Federate Council, for the reason that it was too late in the session for the due consideration of the subject. It was to be feared that the same message upon that subject will be sent back to this House if action is now delayed.

Rev. Dr. HARE—accepted the suggestion that the subject be made the order of the day to-morrow at 12 o'clock.

Rev. Dr. HOWE—hoped that the canon reported from the Committee on Canons would be included with the canons reported by the Special Committee.

Rev. Dr. HARE:—I took it for granted that it was included.

Rev. Dr. HOWE:—I move that the order of the day for to-morrow, be the reports upon a Federate Council and the Provincial System.

Rev. Dr. MULCHAHEY:—Is it fair to so word the resolutions as to allow the canon reported by the Committee on Canons to take precedence?

Rev. Dr. HOWE:—I think it is fair, entirely fair, and nothing else will be fair. This Committee on Canons has brought in a canon upon the Federate Councils.

They reported it in the ordinary course of proceedings, in the morning, and did not develope it by a single word; and when the committee were unaware, their canon was referred to the Special Committee. It is due to the Committee on Canons that they should have the opportunity to present to this House their own ideas, as connected with their own proposals. We do not care in which order the canons are taken up; we can move to divide in either case. But the two things are two substantive propositions, brought in by two separate committees; and the Committee on Canons brought theirs in first, and never had the opportunity fairly to develope its merits before this House.

Rev. Dr. MULCHAHEY:—I am sure the gentleman will say, on a moment's reflection, that that will necessarily introduce the discussion of the whole subject. The first canon proposed by them must necessarily be taken into consideration in connection with the canon proposed by the Committee on Canons, because the simple question before us in considering that canon is, which of its two forms will the House prefer.

Rev. Dr. HAIGHT:—I care not how the matter is arranged. But I claim in behalf of the diocese which I in part represent, and of the Diocese of Western New York, that this matter which has received their most earnest consideration, and which they have presented to this House in the form of a memorial and in the form of a canon, should come squarely before this House, and not be mixed up with other schemes. Five dioceses come here and ask for relief upon a specific point. They ask you and implore you to pass something like the proposed canon, to give them the relief which they need. I claim it is not fair to take that canon and mix it up with another canon, and bring this matter before the House in that entangled way.

Hon. S. B. RUGGLES:—I beg to second the remarks of my colleague with all my heart, and I take this mode and opportunity of making it distinctly understood that I am entirely in favor of a Federate Council as proposed in the last Convention of our diocese, and as reported by the Committee on Canons, a Federate Council with strictly limited powers. I therefore hope the discussion of that matter will be separated from the other; for, if they are confused together, both may fail; one ought to pass, perhaps both, but especially that for a Federate Council, provided it does not contain within itself the features of a synod.

Rev. Dr. MEAD:—The dioceses presenting these memorials have a right to be heard upon the matter presented by this House. Under these circumstances, why should we be compelled to go into this log-rolling system of endeavoring with a practical thing, to crowd in upon us a theoretical thing? In the name of the Committee on Canons and of the Dioceses of New York and Western New York, I protest against this attempt to take up from the table of this House that which we have reported when referred to us by the House, to mingle



it with another action which, to a great degree, is irrelevant. I hope that it will be taken up upon its merits, and no attempt be made to drag the Committee on Canons into a log-rolling business.

Rev. Dr. HAIGHT :—I move to take up immediately the canon reported by the Committee on Canons, on Federate Councils.

Which motion was agreed to.

Rev. Dr. MULCHAHEY :—Has the order of the day [the consideration of the canon reported by the Special Committee, on the Provincial System] been rescinded?

The PRESIDENT :—That rescinds the order.

Rev. Dr. HOWE :—It will be observed by those who will recur to the journal of the last General Convention that a canon almost identical in terms to this canon now proposed was adopted by a large majority of this House, sent up to the House of Bishops, and non-concurred in by them for the reason that it was too late in the session to take into consideration so grave a subject. That canon has been accepted by this House and has been since adopted or recommended to attention by the Diocese of New York, and it is upon the memorial of the Dioceses of New York, Western New York, and of Maryland that the subject was intrusted to the Committee on Canons, of which this draft of the canon is the result. It was felt that it was necessary that it should be distinctly understood what are the powers that shall be exercised by these federate Councils, because they might on the one hand trench upon the legislative powers of the General Convention of the Church, or they might on the other supersede somewhat the present, and, as we conceive, essential functions of the Diocesan Convention. It was therefore esteemed necessary that the Church in General Convention assembled, should know what is proposed to be done by this body intermediate as regards the Diocesan and the General Convention. That, as you will observe, is provided for in this draft of the canon now before you.

Here were received from the House of Bishops several messages :—

No. 15, (wrongly numbered) Notifying that they had adopted a resolution repealing the last clause of Section 1, Canon 10, Title 1, the House of Clerical and Lay Deputies concurring.

No. 29, Notifying that the House of Bishops had adopted a resolution continuing the joint committee on the Italian Reform Movement.

No. 30, Notifying that the House of Bishops had adopted a resolution, the House of Clerical and Lay Deputies concurring, that the vacancy in the office of Historiographer of the Protestant Episcopal Church, occasioned by the death of the lamented Francis L. Hawks, LL. D., be filled by the appointment of Rev. Wm. Stevens Perry (Secretary of the House).

No. 31, Notifying that the House of Bishops had concurred in the resolution communicated to them in the message No. 27 from this House (amending the third section of Canon 9, Title 2), so as to read "the presiding bishop" instead of "presiding bishop of this Church."

The Rev. Dr. HOWE (resuming) :—I was proceeding

to say that in the original text of this canon as presented to the House by the standing committee it is simply interdicted that any such federate council or convention before the next General Convention, take any determinate action upon any subject whatever. It was felt that it was necessary (in as much as it had been the principal motive in the Diocese of Pennsylvania three years ago for asking for the creation of such a federate council or convention)—it was felt that it might be necessary, on the separation of a great diocese where there were already fiduciary endowments in the hands of the convention, that there should be some joint action upon them, that there should be matters of legislative enactments which concerned the general interests of the Church in a State, on which the convention should have the power to consult, and which it would be very important to complete before the session of the next General Convention. To meet, therefore, such an exigency, it was provided that, while (as it was said in the first part of the canon) no determinate action shall be had by such federate convention or council, but the powers proposed to be exercised thereby are to be submitted to the next General Convention for its approval, yet that nothing in this canon shall be construed as forbidding any federate convention or council from taking such action as they may deem necessary to secure such legislative enactments as the common interests of the Church in a State may require. It was felt that even this little change in our organic condition is somewhat experimental, that it is launched out in a new direction; and with the customary prudence of this Church, the conservative spirit by which it has always been pervaded, it was thought important that we should carefully experiment, and, as we come to grave conclusions adopt them in the form of fixed law. It was felt that probably in the early coming history of this Church it may be needful to go into the organization of a provincial synod, or of what is sometimes called the provincial system, and that this association of dioceses in one State with these limited powers might be regarded as an experiment somewhat in that direction answering the principal exigencies of the Church, and preparing us for such further advance as future necessities and demands may require.

Rev. Dr. HAIGHT :—I desire that this House may understand that this matter comes before them at this time not upon the motion of any individual member of this House, or of a committee of this House, but it comes before them upon the memorials of those three dioceses, embracing, I suppose, at least one fourth part of all the clergy and of all the parishes of this Church. It comes before them in a memorial or memorials which express their deliberate judgment upon a subject which they feel to be closely identified with their interests now and their progress hereafter. It is my privilege and honor to stand before you as one of the Deputies from the Diocese of New York, who are instructed to present their memorial upon this subject. And I desire to read a very brief extract from the report of the commit-

tee, charged with the preparation of a memorial on this subject, to this House, as containing some views which were considered important by my own diocese, and which, I trust, will not be considered unimportant by the members of this Convention. [Rev. Dr. Haight then read from the memorial, which set forth the necessity of combined action on the part of the several dioceses into which the original Diocese of the State of New York had been divided, as to their common interests in the work of Christian education, and missions within its borders, and their common interests in reference to the property of the Church.] That this was the view taken of this subject by the Convention of the Diocese of New York, is shown by the plan which they adopted, and by the terms of the memorial which they ordered to be presented to this House. It is no paper scheme which the Diocese of New York and its sister dioceses offer you. It is no plan conceived in the brain of some recluse student, looking back to the records of the past and speculating upon the future history of the Church. It is a practical measure, based upon what we conceived to be the real wants of our diocese and the integral portions of this Church; and it is in this light that I hope this Convention will view the matter. We ask for the passage of a canon in precisely the same terms as passed by the lower House of the General Convention. We were satisfied to take that, because it simply grants the express permission to representatives of the five dioceses of the State of New York to look each other in the face and ask what our common wants are, and how they should be provided for. All matters of detail were expressly excluded; and I hope this Convention will not enter into the task in details. It is not proposed by this canon to allow the Federate Council of the State of New York to create a constitution and to enact any fundamental laws regarding their future actions until that shall be passed upon by this House. We proposed to hold a primary council. In that primary council we shall consider this subject, and adopt certain fundamental principles, and, perhaps, a constitution. When that is done, it comes up to this House, and if this General Convention finds anything in that constitution or those fundamental rules at variance with the true spirit of this Church, at variance with the true idea of this House, or the other House of the General Convention, of course they will strike it out. The only saving clause is that, in the mean time, we may act together in regard to matters of common interest, which bring us into contact with the State Legislature. I know not how it may strike gentlemen from other States, but I do say that this matter of the relation of the Church with the State is of a very intimate and critical nature; as, for example, we hold all our Church property in the State of New York under acts of incorporation, passed by the legislature. Those acts are changeable, at the will of the legislature. Who can tell, in the coming five or ten years, what may be the character of the legislature of the State of New York? I think, for one, the character of our State legislature, generally, is not improving. I do not think that the tone of morality and the tone of religion, if you can call it religion, at our seats of government is at all improving. Who can tell what efforts may be made to crowd upon the Church, in the laws of the State, something she does not want, and something which the Church may feel is striking at the root of

her liberties and power? Every gentleman knows perfectly well that no ecclesiastical court is allowed to proceed to the end of its duties, if the respondent chooses to invoke the interference of the civil authorities, without that civil authority interfering. In one case we had ten injunctions served upon us by the court. It is very true that it is a settled principle that the State will not interfere further than to see that the ecclesiastical proceedings are in accordance with your own laws; but it is a small step from the present platform to another, which shall decide that the State shall look into the ground of the laws and decide whether or not they are conformable to their notions. I dreaded the idea of the Church of New York being divided into five separate portions, and left without any bond of union by which it can approach the legislature of the State of New York as one body, and ask that legislature to consider, carefully, before presuming to interfere with what, if not vested rights, are dear to us. If there were no other ground than this, I should be much in favor of the passage of this canon, and should urge it with all my heart. But when we look at the subject of Christian education, and how the strength of the Church is frittered away in respect of united action as to education, we feel that it is of great importance that we of the State of New York should be enabled to associate together with regard to this subject and also with regard to the subject of missions. In the northern part of this State there lies an important part of the country which must, for a long time to come, be missionary ground, the missionary work in which ought to be contributed to by all the dioceses of the State. With the expression of these views, I shall not detain the House longer. I implore the House not to refuse to grant the prayer of this memorial, unless they may be impelled to do so by considerations of the highest importance.

Rev. Dr. MULCHAHEY:—I should be sorry to be understood for one moment as assenting to all that the reverend gentleman who has just taken his seat has said. I learn that the Secretary has just heard from the printer, and that the canons [proposed by the special committee on the provincial system] which had been placed in the hands of the printer are expected every moment, and I do think it is important that we should have the canon in print. The canon, as amended, will be before the House in a few minutes; and I desire that the canon proposed by the special committee should be considered at the same time, and, I hope, adopted (for he would be a monstrous father who would not have some preference for his own offspring). I desire to call the attention of the House to the history of this matter for a few moments. It comes before us now by memorials from three dioceses. It came before the last General Convention, it will be remembered, by a memorial from the Diocese of New York; and in that memorial there was embodied this resolution:—

*Resolved*, That it is the opinion of this Convention that a Provincial System, adapted to the present position of the Church in this country, should be established. It therefore prays the General Convention to make provision for the organization of the Protestant Episcopal Church in the United States into provinces.

That resolution passed the convention of the Diocese of New York before the last General Convention; and the matter was brought into the General Convention by the me-



morial embodying that resolution of the diocese. The matter was referred to the Committee on Canons, and by them reported unfavorably in the House. Subsequent to that, a resolution was introduced by Dr. Clarkson, now the Bishop of Nebraska, containing a general Provincial system, substantially the same as the resolutions afterward submitted by the special committee, reported to this House. That canon was referred to a special committee of thirteen, which special committee of thirteen eminent, preeminent indeed, for its learning and ability, reported a general canon. The general canon passed the House, was sent up to the House of Bishops, and by them sent back, with a message that it was too late in the session to consider so important a subject. The last General Convention had been occupied with this the 2d, 3d, 4th, 5th, 11th, and the 16th days of its session. After the first five of these six days had been occupied with this subject, then a canon, substantially the same as that reported to this Convention, was again moved, and a special committee was appointed to take the whole subject into consideration during the recess, and to report to this General Convention. That committee of five, of which Dr. Mauney was chairman, reported to this Convention in a very learned report, and in the report commented very ably on the canon which had been submitted to them, but closed their report with the resolution that a special committee of five be appointed to consider and perfect a canon embodying the Provincial system. Previously, however, to the presentation of that report by this special committee, the Committee on Canons had reported to this House a canon on federate union; and the author of that report felt it to be simply due, in courtesy, to the Committee on Canons that their canon also should be submitted to this special committee. It was committed to them in that way. You see, then, that this special committee had the subject very distinctly assigned to them. They had assigned to them a canon reported by the Committee on Canons, and also one reported by the special committee appointed by this House with instructions to consider and perfect a canon embodying the provisions, according to our best judgment, of the matter submitted to us; and we endeavored to embody these in two canons, the first canon substantially the same as that reported by the Committee on Canons, with one or two exceptions. It did seem to that committee, in considering the subject closely, that this general canon was defective, inasmuch as it made no provision for the calling of a primary convention. It does seem that, in initiating any system of this sort, the General Convention should declare the general provisions so far as to provide that the calling of primary general councils should be uniform in different parts of the country. This canon declares, in express terms, what it seems unnecessary to declare, that the whole matter should be tentative on its face; that nothing should be done; that while there was a general canon giving permission to the dioceses to associate themselves together (which permission, we suppose, they would have without any such permissive canon) there was no provision made for the calling of the first Federate Convention; and the whole matter was placed ostensibly in uncertainty, until the matter should be submitted to the next General Convention. In our canon, while recognizing the authority of the General Convention, and while declaring, in express terms,

that all the actions of the Federate Convention should be in subordination to the General Convention, we endeavor to initiate the matter in a somewhat more determined form. If that canon be adopted, or the canon proposed by the committee—and it is for the judgment of this House to say which is the preferable one—the second canon proposed by the committee only goes on to give things their right names. I was going to suggest that this plan of Federate Convention—calling things by unchurchly names) for, after all, it amounts to that), has been tried, and found wanting. We all know something about the Eastern dioceses. The plan failed there.

Hon. S. B. RUGGLES:—I wish to state to the Convention, and to be distinctly understood that I am wholly in favor of this measure, absolutely, without qualification. The character of this measure was very thoroughly discussed in the Diocesan Convention of New York. The measure first proposed in that Convention made this new body a synod practically, gave it Provincial powers. It empowered this body to consult on all the matters pertaining to common interests of the said dioceses, and to enact all laws pertaining thereto not inconsistent with this Church. That was a province in disguise, not intentional disguise of course; but we, all of us loyal to this Convention as the supreme sovereign authority of this Church, took ground at once against that clause—that it was the introduction of the synodical union, which would have made a province, which would have legislated on all matters not inconsistent with the laws of the Church. The debate was very long and very able, because some of our ablest men in the Church entered most actively into it. It was so able that the Bishop in his address made special remark that, it being the last convention of the diocese, he was gratified to have heard a debate so able and instructive. I meant to say that this thing has been thoroughly studied by men excessively jealous of the authority of this supreme authority of the Church. After a very active struggle, the obnoxious clause disappeared; that is the safest word to give to it. [Dr. Haight:—It was withdrawn by the committee.] Well, it was withdrawn, and the legislative power sought to be given to it was taken away, and we rescued the liberties of the General Convention from entanglement with such a body. And now the canon stands precisely where we put it in that committee of the Philadelphia Convention. It was needed for the use of the Church, allowing permitted growth. You can make an organization, and upon that organization, if you can convince the General Convention hereafter that it is wise, you can impose a superstructure, but you must come up to the General Convention; and it becomes the great issue between the General Convention and the dioceses as to the extent of power to be delegated. The canon now proposed is more conservative than that proposed at Philadelphia. This excludes all determinate action until the provinces shall come to the General Convention three years hence and state precisely upon what subjects they wish to legislate and expressly limit and clearly define the exact extent of the legislative power for which they mean to ask; and then this Convention will determine whether it is safe to grant these powers; and if so to what extent; and that brings up the question how far this permitted growth may extend. As the canon now stands, I

think it is safe, and I think it ought to be passed. As I have exerted myself somewhat actively against the adoption of the Provincial system, which I think will destroy the growth of the Church, I now say that I do not think this will have such an effect; and I hope it will pass.

MR. EDWARD McCRAW, of South Carolina:—I am sorry to have to rise on this question, because I am obliged to make a most determined opposition to the measure. What is to restrain the dioceses of New York from assembling together? If a canon restrains, repeal it. If no preventing canon exists, and if the constitution restrains, how can a canon authorize it? I am opposed to the adoption of a canon like this. If they want the sense of this body, we may declare it by a *resolution*, but not by a canon. How can you grant organic power, as this would be, under a canon? I must therefore beg that this thing be considered a little more fully before we proceed to pass this canon. If I could have had the opportunity at an earlier day of the session, I would have proposed a measure which I am satisfied would have been most important to us. We want a committee on the constitution. We want some body equal in respectability to the Committee on Canons, to which we shall refer constitutional questions, and whose duty shall be to take care whether the constitution is infringed or not. It is important that you should have such a committee. [The President:—The Committee on Canons is, fully entitled, the Committee on the Constitution and Canons.] Now, I submit it is not the proper committee to go to. The Committee on the Constitution should be a distinct committee and should have a watch over the Committee on Canons; then, you would have two highly respectable committees in this body which would have their eyes on each other. Suppose there was a Committee on the Constitution who could speak authoritatively on this subject, and could say that there is no occasion for anything but a resolution, you could confide in it. Now, I am a simple individual, and I ask upon what authority can you base a canon? If these dioceses have the right to assemble, you have no right to restrain them; but if they come here and are in doubt, and ask you to put them right, you say, Look into the Constitution; what restrains you? If you vote to make a new organism, a new constitution, can you do it otherwise than constitutionally? It seems to me that these observations must commend themselves to the sense of every gentleman, be he clergyman or layman; be he what he may. If he has any idea of a constitution at all, any idea of an organization, he must say that this is not the proper course to be pursued. I am perfectly willing to adopt a resolution to make it clear that they may do that. How can they act as an organic body in reference to the State unless the State gives them that organic capacity? I hope somebody will express himself upon this subject whether I am entirely wrong by asserting that this authority should be given by resolution.

REV. DR. HARE:—If I correctly understand matters, it is not proposed, either by the canon which comes up from the Diocese of New York, nor by the canon proposed by the Committee on Canons, to revive in our Church any names associated with the ideas of corruption in the Church; nor do I understand that either canon proposes to make one diocese in any way subordinate to another, or in any degree

to diminish the independence of our Bishops. Nor do I understand that either proposal would give any legislative power to the federate council, except that the proposal from the Diocese of New York would give a legislative power in matters affecting the common interests of different dioceses of that State. The legislative power which it proposes to concede to this federate council is to be restricted. Now, if I am rightly informed, unless there is some hidden intention, I am ready to vote for either one of these two propositions. Other propositions which have come before this House I am most earnestly opposed to; and in expressing opposition to them, I express the general sentiment of the diocese from which I came and the sentiment of the first Bishops of our diocese; but I am perfectly ready to vote for the proposal of the Diocese of New York, or the proposal from our own Committee on Canons, unless I am mistaken in some of the particulars of which I have spoken.

HON. S. B. RUGGLES—suggested the introduction of the word "local" so as to read "common local interests."

Repeated calls for the question were here made.

REV. DR. MAHAN:—I should be very reluctant indeed to see a matter of this importance pass without a more thorough consideration than the House seems to be disposed to give, judging from the cries for the question, etc. I think there is a great deal to be taken into consideration, before we determine this point. As a member of the Committee on Canons I have to speak with a certain degree of consideration to that committee and to all the members thereof; but in the shape in which this thing is brought before us just now, it does not strike me as precisely the thing intended by all the parties concerned. This comes before us, accidentally no doubt, but at the same time in a way that has confused my mind considerably. It has come before us in this shape, that, whereas the matter committed to the Committee on Canons was certain memorials from the Diocese of New York, the Diocese of Maryland, and perhaps from other quarters, it seems practically to come before us merely as the measure of New York, with the arguments that were employed by New York, and everything else seems to be omitted. I don't object to its appearing precisely in this shape, but nevertheless in discussing the question I think there should be at least a fair chance for other dioceses interested in this matter to bring out the views which are presented before their conventions and which are more or less entertained by those whom they represent. And I would therefore ask the attention of the Convention while I read the resolutions of the Diocese of Maryland on this subject: "*Resolved*, That it is the opinion of this Convention that as soon as may be after the organization of two or more dioceses within the limits of the present Diocese of Maryland, and after the consecration of the bishops for the same, there should be a council of the said dioceses through their proper representatives to consider and adopt measures for a permanent synodical or conventional union." I don't know whether this expression, *synodical* or *conventional* comes under that kind of slur cast upon certain expressions as associated with corruptions in the Church. For my part, I do not know any expression that implies the meeting of men together, that is not associated with all kinds of scandals and corruptions. It applies to all words we may use.



It was to "adopt measures for a permanent synodical or conventional union"; "said council to consist of the bishops of the several dioceses into which the present diocese shall have been divided with ten clerical and ten lay deputies from the several conventions of the same, and to be held at such time and place as the senior bishop shall determine", and then—"Resolved, that this convention petition the next General Convention for such modification of the constitution and canons, if any such are needed, as shall enable the dioceses formed or to be formed within the limits of any present diocese to form within themselves a synodical union." This was adopted after great consideration. It was resolved to petition for the removal of anything that might stand in the way, if necessary. I have not understood that the Committee on Canons, in recommending a measure of this kind, have indicated that there is really anything in the constitution that stands in the way of each state or diocese, as now constituted, acting for itself in this matter. The petition is that they should make "such modification of the constitution and canons, if any such are needed, as shall enable the dioceses formed or to be formed within the limits of any present diocese to form within themselves a synodical union." Then, "Resolved, that this Convention petition the next General Convention to take the necessary steps to organize provincial courts wherever they may be desired by any church of the province." Then a resolution was offered that a committee be appointed to present these petitions. All I desire to say at present is, that there are several propositions before the Church with regard to these matters; and I would be sorry to have this thing passed in such a shape as may lead to the idea that there is only one of the many propositions considered. I think the discussion should be conducted in such a way as to give all sides a fair hearing in this matter. For a practical measure, merely for the present time, I would be content with anything—such as that which comes from the Committee on Canons. I would be content with that as initiatory. I would be sorry to indulge the idea that there is nothing in this. I think I can say in perfect candor that I should look with perfect contempt upon the thing if that were the case. I would regard it as the beginning of a growth, and that is substantially what is called the Provincial system. I should not take the trouble to vote upon it if it were not such a thing as that. I desire distinctly to say this, that the Church necessarily from the beginning to the present day, has been one great province of the Church Catholic. It therefore belongs to the Provincial system. The only difficulty connected with it has been this, that the same reason which necessitates our creation of these immense dioceses necessitates also the creation of immense provinces; and therefore as we have followed the system, not merely of the early Church, but the system of the Church in all ages, and, I may say, the common-sense system that men have adopted in everything that concerns their vital interest—as we have adopted that system at the beginning, it is very proper that, as the Church grows, we should allow the system under which we live to grow; that as these dioceses have become very large, beyond the care of any one bishop, in each case, they should be allowed freely to divide, under certain necessary restrictions; and as this great province has become very cumbersome so

in like manner we should allow it to divide itself into a cluster, or if you choose to call it so, a federation, council, or synod, or anything of the kind; but then this principle ought to be preserved: The Church Catholic ought never to give up anything that it has found to be good; and it has found this General Convention, this meeting of the whole country together, to be a good and admirable thing in every sense of the word; and therefore whatever is done, the practical thing is to see that this Convention be preserved, this being looked to as a necessary thing, this authority of the General Convention or General Council of the United States, as some desire to have it called—I am among the number, however, who do not care much about the words—this General Convention being preserved as heretofore, it will become a matter not only of convenience, but almost of necessity, that there should be small provinces, where those of the same part of the country can assemble together for certain purposes. And if we once come to these smaller provinces, Providence has marked out the very system that has prevailed in the Church universal, and that prevailed in the time especially when the apostles laid the foundation of the Church. There was the Roman Empire with its 120 provinces corresponding in size and character very much to the States of our American Union, and what could be more convenient, when we begin to extend our system, when there is something like vital growth, than to adopt the lines sanctified by so many associations of every kind, and that the dioceses which have been dioceses hitherto should remain dioceses in the essential sense of the word—that they should be united in a common council—that they should work together in all essential matters—and that they should be divided merely for that which necessitates action in certain local matters? If that system is adopted, it matters not whether you call it the Provincial system, or federative system, or the confederate system, or anything in the world. These are mere words and the words always derive their meaning from the thing, and not the thing from the words. We read in the Holy Scriptures that God first created all the beasts of the field, and then He brought them to Adam to see what he would name them. We have the thing first, and then we can see about the name.

Rev. Dr. COOKE was granted leave to refer a memorial asking for some modifications in the conduct of public worship.

On motion the House concurred with the House of Bishops in the appointment, as Historiographer of this Church, of the Rev. William Stevens Perry.

The PRESIDENT appointed Rev. Dr. Haight, Rev. Dr. Watson, Rev. Dr. Howe, Governor Fish, and Judge Otis, as the Committee of Conference on the amendments of the fifth article of the constitution.

Rev. Dr. BARCOCK, of Western New York, offered a resolution, which was adopted, authorizing the Secretary of the House to print and send to members of this House and to others interested a statement of changes made in the canons.

On motion the Secretary was instructed to return the thanks of the House to several institutions and societies of this city from whom invitations have been received,

and to express a grateful sense of their courtesy and attention.

The Committee on Adjournment made a report to the effect that the probable earliest time of adjournment consistent with the transaction of business before the Convention would be Wednesday next.

On motion a resolution was adopted expressing satisfaction at the prospect of an early publication of the documentary annals of the American Colonial Church, and thanking the Rev. William Stevens Perry for his editorial labors thereon.

Rev. Dr. RICHARD S. MASON:—I must observe, Mr. President, I feel very much concerned with respect to this federative council, or provincial synod, or by whatever other name it may be called. I observe preliminarily that I think too much stress has been laid upon names. As was very justly observed by the member from Maryland [the Rev. Dr. Mahan], names take their meaning from the circumstances which surround the particular thing which calls for the name; and whether you call it synod, council, or convention, will make very little difference—the meaning of the name will be determined by the circumstances. I do not know that there is any great necessity, any necessity, for the appointment of this council; for I can not see but that it would be perfectly legitimate for a number of dioceses in any state to unite together so that they might carry on ecclesiastical operations and certain legislative proceedings for their benefit without the action of this General Convention. But there is a great benefit and expediency in the General Convention acting upon this subject, in order that there may be one uniform system throughout the Church in this country, which otherwise might not be. Still I think it might be preferable for any number of dioceses to unite together for useful and practical purposes. But I look upon the institution of a council, or synod, or convention, whatever you may call it, as based upon more important principles than mere expediency. I think great mistakes have been committed with reference to the Catholic Church. We are in the habit of comparing it, because it is a matter immediately before us, with the constitution and government of the United States. We know very well how the states were first joined together by confederation. That was found to be an imperfect union. They were afterwards united under the constitution of the United States. In whatever light we may view it, it was a union. But there is no necessity of entering into these particulars, because my object is to show that the Church is entirely different. It is a dividing up of an original unity. The Church began with the twelve apostles and those who were united with them—a great many on the day of Pentecost. The apostles had the power of commencing the Church and of extending it. St. Peter seems to have had the authority to begin it. He preached to the Jews on the day of Pentecost. He afterwards opened the door to Cornelius, called in Scripture a devout man, a term used to signify

a Gentile who was a receiver of the Scriptures. He opened the doors of faith first to the Jews and next to the Gentiles. But the Church, as I say, began in that manner—first with the apostles and then with those whom they converted to the faith; and as the Church was extended through the Roman Empire and in other countries, the division began by the appointment of aids to the apostles, who were placed in certain situations to aid them, as in the case of Timothy, and Titus, and perhaps some others mentioned as apostles in the New Testament. And, afterwards, these being the heads of particular departments, there came in the diocesan episcopacy. The Church did not begin with mere diocesan episcopacy, but with metropolitane power. There were, of course, bishops with the power and with the authority of bishops; but as, when the Church was extending, they became the heads of other dioceses, so their authority as being in superintendence over other bishops was to a certain extent recognized; and this took place in the Roman Empire according to the divisions of that empire, as we propose it shall be in the Church in this country now. In consequence of our peculiar situation when the British colonies revolted from the mother country and the United States were established, the Church could not begin in that particular way. The Churches in this country had been under the rule of the Bishop of London, and when the separation from England took place they were naturally separated from his power and authority. How far that was right I do not inquire; but it took place; and therefore it was necessary that a combination should be entered into, such as we supposed took place, and did take place in the union of states; and the Church was formed originally from the confederation of the original states, as we see from the number of their representatives, and not from the United States. Then again it is proper and right that we should always hold in view the original manner in which the Church was constituted, and that we should not go into any measures which are contrary to this original organization of the Church; therefore, I conceive that, on that ground if no other, it would be eminently proper that as the dioceses are multiplied, they should be united in a province, convention, or whatever else you call it, that we may come as nearly as possible to the original organization of the Catholic Church. But besides we have been told, and have had it clearly and distinctly pointed out to us, that this union of dioceses in a particular state is necessary, on the ground of the influence which the legislature of a state may otherwise exert unfavorably in the different dioceses in respect of the property they hold, or in some other way to restrain them of that Christian liberty which ought to belong to them. Let us look at the Methodists, a very remarkable body in their power, proceeding from their very wise head, Mr. Wesley. First of all they have their congregations divided up into small bodies, each of which bodies can be attended to by its respective class-leaders. Then they



have their preachers, who are annually or biennially appointed for the particular congregations, and who have charge not only of the whole congregation, but of these class-leaders especially. Then above those, in another circle, they have their elders, whose power, so far as it is exercised, is a good deal the same as that of our diocesan bishops; whether they have a rightful power or not is a distinct question. Then over these great circles come their bishops, who are in fact metropolitans—archbishops—except that in holding episcopates they do not divide, but the six bishops take charge of the whole Church; and thus a bishop may lay his hand upon a member of any congregation. Then again in regard to the Presbyterians; they have their congregations, and then their elders to assist the minister of the Gospel in his administration; and they have their presbyteries and their synods, and they have, including the whole, the general assemblies. I take it, unless we make some such arrangement as this for the purpose of having uniformity, we shall at last become a sort of enlarged Congregationalism, in which the bishoprics shall have no tie one with the other in each part of a state, but be only separate and distinct Churches, without any particular unity with the great body of the Convention, and, through its instrumentality, unity with the Catholic Church. I have formerly heard a good deal about the independence of the dioceses. Now, I suppose, if what I say be correct, there can be no such thing as independent dioceses. A bishop cannot be consecrated except in accordance with the laws of the Church; he cannot be consecrated by his predecessors; and therefore he must be consecrated by some other bishops. Now if he is consecrated by other bishops, then by necessity, according to the laws of the Catholic Church brought down to us from the earliest councils, no diocese can be entirely independent of other dioceses, but must be governed by the laws of certain dioceses in immediate connection with it; it cannot be independent and still be connected with the Catholic Church, any more than my hand can be connected with my body without the connection passing through my arm. Therefore I think, from all these considerations—first the original constitution of the Church, and then next the necessity which arises from these different divisions, these circles including other circles, from what we see around us so admirably benefiting the communions in which these divisions take place—I think it advisable for the General Convention to institute something like a provincial synod, or federative council, or by whatever other name you may call it. The word synod does not properly imply any necessary powers of legislation; the word convention does not imply them; nor does the word council. The word council is only the Latin word used for the Greek word synod, and our word “convention” is similar to “council” or “synod.” It does not make much difference what name we call it by, so long as those provincial councils shall not absorb

the dioceses, nor interfere with the authority of the General Convention.

MR. TAZEWEEL TAYLOR:—The Diocese of New York as well as the Diocese of Virginia, or any other diocese, has a right to demand from the members of this Convention the deliberate examination of any measure. The distinguished Deputy from South Carolina [Mr. McCrady] presented to this Convention a question which no one has yet met, and which, whether sound or false, by its source, and by the character of the inquiries, certainly deserves some answer from those gentlemen who have the matter in charge. I must confess, unfortunately for myself, I am afflicted with the same difficulty which that deputy presented. The proposition before this body is to authorize some body intermediate between the General Convention and the Diocesan Convention—what is called a federative council. It is then to a certain extent an organism of this Church. If it be an organism of this Church, if it be necessary that it shall be authorized by a vote of the General Convention, it is equally necessary, demanded by the highest considerations of expediency and conformity to previous legislation of this Convention, that that organism should be in the constitution and not in a canon. If you look to your constitution, you find that the General Convention is organized by the constitution. It is provided in one article that the bishops exceeding the number three shall form one House, and the House of Clerical and Lay Deputies shall form another House, consisting of four clergymen and four laymen, to be appointed by the convention of each diocese. Shall we, by canon, undertake to authorize the formation of a federative council—the organization of four dioceses into one diocese? If it be necessary that their authority should be derived from the General Convention, I submit to this Convention that that authority should be contained in the constitution. If it be not in the constitution, then there is no necessity for a canon, because their authority will be found in the nature of independent power. When the Dioceses of Virginia, of Nebraska, or of Wisconsin, assemble in convention, their power is not derived from this General Convention, but is original with the diocese. When they are formed into a diocese they have it. The canon, I submit, is not the mode of giving this power. If it be necessary, let me call the attention of this House to the character of the proposition treated as a proposed amendment of the constitution. What does it effect? It effects nothing. It authorizes these several dioceses in one State to form a federative council. Does it have power to do so? No, sir. They must convene, and they must submit their constitution to the next General Convention, which constitution will, of course, embrace the powers which they claim. Is there any necessity for so acting? Can not these several dioceses, of the State of New York, without any authority granted them, send through their conventions and depu-

ties, and submit a plan to the next General Convention? do they want power? and is it proper for a Convention to pass a measure so utterly indefinite, and which does not confer any power at all? It strikes me we do not want any action at this time. And whether I am right or not in the constitutional view, these dioceses must first organize and determine for themselves what they want, and when they have determined for themselves, then let them come and submit their constitution, and ask the next General Convention to confer that power; and that Convention will be prepared to determine how far it is expedient to enter upon this new system.

Rev. Dr. HAIGHT:—The gentleman having asked the question, perhaps it is incumbent upon me to say a few words in reply, more especially as the matter was moved by my honorable friend from South Carolina. The question as I understand it is this; What necessity is there for any action on the part of this Convention to enable the dioceses in the State of New York to meet together and form a federative council, at least to take the initiative steps? Is there anything in the constitution or canons which forbids it? I apprehend there is not. What necessity then is there for any action on the part of this Convention? I will answer this question with great frankness. In behalf of the Diocese of New York I would say that, although it is as clear as the noonday sun that we have the power to form the federative council, we do not desire to do it without the consent of this Convention, because of our feelings of loyalty to this Church, because of our feeling of identification with this Church in all its parts, because we are not willing to run the least chance of doing the least thing as if assuming something that does not belong to us. I do not speak upon this subject without book. I claim that the Diocese of New York has given the highest evidence of its loyalty to the Church and this Convention. It will be remembered that the Diocese of New York labored for six years under the heaviest disabilities which any diocese in Christendom was ever called upon to labor under. Our bishop was stricken down by a judicial sentence and we were left in an anomalous position wholly without precedent. What did the Diocese of New York do? Did she assume to act at that time independently of the General Convention. Did she listen to counsels given her by men high in the State and in the Church, that she should stand up and assert her rights against the action of which she complained? No, sir, she did not. She bore the evils meekly. She came to the General Convention of 1847 and portrayed her condition and asked for relief; and the General Convention refused to grant the relief, and left her in a state which witnesses on the floor of this House could testify was a state most deplorable indeed. She submitted to the action of the General Convention, and she waited three years longer, and then she asked again for relief, and though not given in the way she desired, she took it as it was given, and she went on her way, thank God

rejoicing. That is the feeling in New York. We do not wish to do this without the sanction of this Convention. We wish that every step we take may not only be open to the whole world, but that it may have the sanction of the highest legislative authority of this Church. We do not wish to do it, and we will not do it, except under the authority of the General Convention.

Rev. Dr. ADAMS:—I want to make a single point. I say the distinguished lawyer from Virginia has brought forward a point, which, if permitted to remain unanswered, will be the most damaging point to the New York canon [Dr. Haight:—not the New York canon] Excuse me! I didn't think it was necessary to be so particular when I was arguing on the gentleman's own side [Laughter] and to waste my time. I say the distinguished lawyer from Virginia has brought forward a point which if passed over without being touched upon is liable to hinder this New York canon, in the worst way. I would say also that I think that point is brought forward through misapprehension; and that when he speaks of the constitution he has not sufficiently considered the provisions of that constitution. The argument is, that this thing is unconstitutional, that it is not mentioned in the constitution. I would say that this very provision which is brought forward in behalf of New York is distinctly in the Constitution of the Protestant Episcopal Church in the United States, from 1789 to 1835, that is to say, between these two periods there was for forty-six years constitutionally a provision for precisely that which New York is now demanding from this Convention; and the fact is that it was only on account of the paucity of our bishops and the smallness of the Church that it was not demanded. There was a great change of the constitution made by a side-wind, without any evil intention, between the years 1835 and 1838. Antecedent to the year 1838 it was the rule in this Church that the convention should not be a convention of single dioceses, but *a convention of dioceses within the State*. Precisely that which the New York canon demands, was the original law of the Church. Article 4 of the constitution reads: "the bishop or bishops in every State shall be chosen agreeably to such rules as shall be fixed by the constitution of that State; and every bishop of this Church shall confine the exercise of his episcopal office to his proper diocese or district unless requested to ordain or confirm." I am reading from the constitution of the Protestant Episcopal Church in the United States antecedent to the year 1838, not the present one. In the years 1835 and '38 there was an amendment passed to the 5th article, and in the amendment which I find printed in the journal of 1835 there was this: "Strike out the word 'States' in the 1st and 2d articles, except where it follows the word 'United' in the 1st article, and insert in lieu of the word 'States' the word 'dioceses'; strike out the word 'district' in the 4th article; strike out the word 'State' in the 6th article and insert



'diocese;' strike out the word 'State' in the 8th article and insert the word 'diocese;' strike out the word 'State' in the 9th article and insert the word 'diocese.'" That is to say, that Convention then and there by a side-wind destroyed the idea which New York has now intended to place before this body, and to demand shall be established. It is very manifest to any one that will read the constitution antecedent to the year 1838, that the direction was this; there might be several dioceses in a State, and the convention of that State in those dioceses was just precisely as this New York canon requires the thing to be now. I submit therefore to this Convention, and also to the gentleman who has made this constitutional argument, whether it is not a fact that by the Constitution of the Church in the United States antecedent to the year 1838, the privilege of having a Convention in the State composed of the several dioceses was not constitutional, a part of the constitution? I suppose therefore that his argument that this is not constitutional would go. I will also say, that it is singular to think what legislatures will do without intending it. There was a complete change wrought; instead of taking the Church in the State as a unit, as it ought to be, they set to, and introduced a different idea that the diocese was a unit, and not the province of the State. [The Pres't:—Time is up.] Mr. Pres't, it is too bad.

Rev. Dr. MEAD:—From all I have heard I am satisfied of one thing, that gentlemen have not yet gone to the root of the whole matter. They have taken the General Convention as it now exists as though it was the original Church in these United States, whereas it is nothing but the Church in the several States that organized this house and constituted the General Convention. Now, sir, I am so far ecclesiastically a State-Rights' man as to believe that whatever was not conceded in this constitution is still reserved to the dioceses. The change of name which my reverend brother from Wisconsin has talked so much about amounts to nothing. Dioceses and States were, when the General Convention was established, synonymous. I therefore repeat it that if there be nothing in the constitution of the Church as organized by the dioceses which prevents a diocese from doing such an act, there is no authority in this Convention to grant that power nor to question them in the exercise of it. But what is the position in which we are placed now? Here comes the great diocese originally of the State of New York, and while that diocese or State feels that it has the right to act without asking our leave, it feels also the great importance of the unity of the Church in the United States, and in this age when every tendency is to the destruction of unity and the overriding of every organic law, it wishes even to stretch a point to ask permission to do that which it well knows it has authority to do. It is precisely the same as if your son who has passed his majority or your daughter, should come to the con-

clusion that he or she wished to unite his or her fate with some other person. That child if brought up properly, I care not if 50 years of age [laughter] before forming the matrimonial relation will go to the father and mother and say: I have the legal right I know to be married without your consent, but I cannot do it according to my feelings without your consent. That is the position of the Diocese of New York to-day. It is not a question of rights; it is simply a question of proper filial feeling, the feeling of submission of a minor to a major, although in this case the major is constituted of the minor. Now, the Diocese of New York has the right to this. What does the canon express? Simply the opinion that that right does exist: "It is hereby declared lawful." The declaration doesn't make it lawful necessarily; but if any gentleman thinks it would not be lawful without the declaration of this Convention, here is the declaration. If others think as I do, that it is lawful, we can all unite on that one resolution or canon. It has been said, and I have thought myself, that when a declaration was to be made, it might be made by resolution; but we have again and again passed declaratory statutes or canons. Why should we refuse to do it now? The Diocese of New York has asked for it. Are you prepared to say to that diocese: "That which is your right and which you respectfully ask us to assent to, we will not assent to." If there is any danger, if you fear danger, if in your fears, there be under the meal a cat, then resist it. But if you have no such apprehension, hesitate not one moment to concede that to the Diocese of New York, in courtesy to its filial affection, which it has asked. It was asked of the Convention in 1865, but it was not granted. Why? Simply because our Right Reverend Fathers could not find time to attend to the business of this House. Very well; let us try them again. I shall not be surprised if it meets the same fate; but let us not be a party to such action. Let us do our duty affectionately to the Diocese of New York which pays such respect to us.

Rev. Dr. MAHAN:—Is the Diocese of New York the only party in this matter? We are being put into a most awkward predicament, as though this whole business were to accommodate the Diocese of New York.

The PRESIDENT:—I suppose those are mere words of convenient description; it still amounts to the same thing, whether or not there are half a dozen other dioceses interested in the same thing.

Judge BATTLE:—I rise with diffidence to utter a few words upon the question now before the Convention. I do so because I find myself opposed in the debate by some of the ablest and most experienced members of this House whose opinion on this occasion differs from my own. All the arguments which we have heard hitherto are in favor of the passage of this canon except the argument advanced by the gentleman [Mr. McCrady] from South Carolina, supported by the gentleman [Mr. Taylor]. That argument goes to the extent only

that this ought not to be adopted as a canon but ought to be made a part of the fundamental law. In the few remarks I am about to offer, I beg it to be understood that I wish to impute no improper motives to the Dioceses of New York, Maryland, and Western New York, or any other diocese which desires the adoption of this canon. I have no doubt that their motives are the very best; but, it seems to me, we ought to consider what may be some of its defects. If you turn to the second article of the constitution, you will see it provided there that every diocese is to be represented in this Convention. Each diocese is to be entitled to four clerical and four lay members. While the diocese extended throughout the limit of the State, and there was but one diocese in the State, all stood on an equality. This it seems was the case until 1838; and the words State and diocese were used synonymously. It was then thought proper to change the name for the reason that there was about to be, or might soon be more dioceses than one in the same State. Now, Mr. President, let us see what may possibly be—I do not say it will be; I hope it never will be) but let us see what may possibly be the effect of the adoption of this canon. If there were but one diocese in a State, the dioceses would all come here and stand upon a footing of equality, no one having a superiority over the other. Now if we by our own action, can establish a council, or convention, or whatever you may choose to call it, of the existing dioceses in the same State, what may be the result? Why, sir, when they come into this General Convention the five dioceses of New York will be entitled to forty members on this floor; and if a vote be called for by dioceses and orders they will give five times the vote given by the Diocese of Texas, South Carolina, or any other whose limits are co-extensive with the limits of the State. That may be in the right direction. But they may entertain views as to what is the best interests of the Church, different from those entertained by the dioceses co-extensive with the State. When we come here these dioceses of New York having previously conferred with each other, will come with one mind, and they will come for the purpose of carrying out one purpose; and that purpose they will be able to accomplish. Two or three States will have enough dioceses in this Convention to carry everything according to their own wishes; and we who come from States where there is but one diocese to a State, shall be in a hopeless minority. I trust if such be the case, it will all redound to the benefit of the Church and the glory of that great God whom it serves. There is this tendency, and I call upon every diocese, from the Diocese of Maine to the Diocese of Texas, to consider well the effect which this may produce; and let us not organize a system which may bring about that result. [A Deputy: Will they not still have this large number of representatives?] Undoubtedly they would have, but my argument is that they would come as a unit. I am sorry I have not

been able to bring that out before, because that is the whole scope of the few remarks I have to offer. But there was one consideration pressed upon the Convention in 1865, which caused the measure to be adopted on that occasion, namely, that it was necessary for them to be united for the purpose of applying to the legislature of the State. Now if that cannot be accomplished in any other way than by the establishment of this system, then I am willing that the difficulty should be thrust upon me. It seems to me that there is no necessity for adopting this course for the purpose of carrying that out; for it is very easy in these days for these dioceses to confer together, and each appoint agents, and apply to the legislature to grant any act necessary for the one or the whole. I offer these remarks with much diffidence, because I find myself opposed by what seems to be the current opinion in this House. If the members of this House think that this result may be produced, I hope they will hesitate, as I am compelled to do before I can vote for this canon. I did not have the honor of being on the Committee on Canons when this measure was proposed, and do not feel bound by any action of theirs.

Rev. Dr. HOWE:—I was intending to say only that there can be no denial of the fact that it will be entirely practicable for these several dioceses which shall be thus associated, if they shall please when met in convention, to confer as to measures which they will prosecute in the General Convention. I do not see how we are going to prevent that. I suppose it will be practicable to do so, even if they do not have any federate councils. I suppose there are combinations of dioceses that are accordant in sentiment very frequently, for the purposes of carrying measures agreeable to their own ideas of prosperity. But I agree with my reverend friend and colleague who said that they have this power without granting it, that they could have associated themselves in this way without approaching this Convention. I rejoice however that these dioceses have preferred to come and subordinate themselves in regard to this to the General Convention of the Church, and that they are willing to accept the passage of a canon or resolution, or order here that nothing shall be done by them, no constitutional power shall be conferred upon them by this House until such power has been submitted to the General Convention for its approval. There, sir, is the question—Whether we shall leave them to make such organizations without the sanction of the General Convention and without stay on the part of the General Convention in regard to the powers they will exercise other than those provided in the constitution and canons—whether we shall leave them to do this themselves or whether we shall give them the power when they have decided what powers they want in regard to these organizations. If we prefer that they should do it alone and without our concurrence, we can reject the canon, and then they can confer and deter-



mine upon what measures they will pursue when they come together into the General Convention. If we prefer to have our hand in the thing, and have some voice in the assignation of power to these conventions, then it seems to me it will be wise to pass this canon which we have been asked to pass.

Gov. STEVENSON, of Kentucky :—I am sure, Mr. President, that there is no diocese represented in this Convention which would be more willing to yield every courtesy to the State of New York than the Diocese of Kentucky; and if in obedience to what is termed loyalty to the Church, the Diocese of New York comes to this Convention for the privilege of exercising an acknowledged right, it is still more incumbent, in accordance with that courtesy which Kentucky feels to every diocese, that the assent should be conceded; and if it were a mere question of assent, I should have no difficulty as to making that. If it is a mere question of assent to the exercise by a diocese of an acknowledged existing right, why not let us give that assent by a resolution instead of by a canon?

Rev. Dr. HOWE :—Because, sir, by its being thrown into the form of a canon it comes into a conspicuous place; it is handed down from Convention to Convention, and it becomes operative in the case of other dioceses doing the same thing. If we put it in the form of a resolution it will be regarded as pertaining to a particular request, and pass out of sight and mind. But make it a declaratory canon and then it rules all future cases of a like sort.

Gov. STEVENSON (continuing) :—I cannot base [my action, as a deputy of this Convention, upon the mere place in the legislation of the Church in which this canon is to stand. It is unworthy of the Convention that any such reason as that should characterize its action. If the learned and distinguished deputy who always speaks clearly and to the point says they have this right and only want assent, then usage is on my side, that it should be given by resolution rather than by canon. I am not fastidious on this matter; I am really advocating the exercise of this right. I think that if given by resolution there would scarcely be a dissent; it would not involve any constitutional question, and every man would vote for it knowingly, without committing himself to a change of the constitution. I admit that nothing that this proposed federative council shall do is binding until it shall have received the assent of this Convention; but when they have acted they will have the canon law of this Convention to stand by and we may be called upon to change the law. That is necessarily the effect of what these gentlemen ask. I agree with the learned deputy who said he was in favor of this thing, doing it by the way of resolution. I cannot vote for this canon for the reason that I am not willing to commit myself to enacting a law as a canon law when the canon law hereafter may be used against our successors three years hence; for such things have

been before. I suppose I am bound to presume that it will be just what my learned friends have said—for the benefit of the Church at home and at large. I will not sanction a change in the constitution by undertaking without further discussion to institute, even by indentment, by the passage of a canon, an intermediate body between the Diocesan Convention and the General Convention. While, therefore, I am in favor of giving this leave, I prefer it should be by resolution rather than by a canon, which will get us into difficulty immediately; and this presumed acquiescence and consent given by this general assembly to do such and such things, will be urged upon the Convention for adopting these measures, which it seems to me will lead us into difficulty. I may be too fastidious, too conservative. I love this Church and its constitution, never having known any other. I am carrying with me the convictions of my intellect and the affections of my earlier and later days in the Church in which I was born and trust to die. It is for its unity, its conservatism, its perpetuity, that I hesitate to take action which hereafter may create powers whose results no man can foresee.

Rev. Mr. ROGERS :—I beg leave to occupy the attention of the House for a few moments. The gentleman [Judge Battle] has called upon all weak dioceses to speak in this matter. I desire in the name of my diocese to speak, because she has instructed me to urge—you have heard the memorial—that there should be such legislation on the part of the Convention as would enable her to institute some associative action, that she may act for herself. I have told you of her weakness and at the same time of her magnitude. We saw that we should sooner or later have several dioceses, of which one would be strong and all the others weak; and that the missionary efforts must all lie on the outside. We saw that it was utterly impossible that these new dioceses to be formed by-and-by, would be able to support their own missionaries; and we are anxious that that which now forms the one diocese should be able so to act as to spread her missionaries over the borders, by united action. It is exactly what New York is asking to do. She wants this combined action that from this strong centre she may be able to send the Gospel out more efficiently than by separate effort. What danger to the General Convention? What danger to other dioceses? It is only for internal central government within ourselves. Texas asks this action that she may be able by-and-by to institute such action as that we may be able to work in our own matters as we would work to-day if we were strong. The last gentleman who spoke on the subject, said he was willing to do this by resolution but not by canon; and then he goes on to give the reason why it should not be done at all. I can not see why, if we can give the power by resolution, we can not give it by canon. I ask on the part of Texas that you give this authority to the Church—that dioceses may associate, that they may have some central

action by which they may reach out their influence. It is for that and that alone that Texas asks and expects it. With regard to the constitutional objection, I believe the gentleman is under a misapprehension. He argues as though we could not give by canon that for which there is no authority in the constitution. We can do anything that that constitution does not prohibit. We made the constitution to limit ourselves. Where it has limited us we are bound by the limitation. Where it has not limited us, we are free as the wind. I believe with all my heart the Church is bound to grow and develop a provincial system. I am satisfied with that system which embraces simply the dioceses within a State for the present; but I am extremely anxious that the prayer of my diocese may be answered. This is my answer to North Carolina.

Rev. Dr. PIERCE, of Alabama:—It appears to be conceded on all hands that the different dioceses in a State have the power of associating themselves without any such permission given by this body. I think it will be very difficult to show that they have not the power of committing to that central body in their State such legislative powers as they choose. There is a power then, and the simple question for this Convention to decide is, will they allow that power to act without restraint, or will they take it under their own control, and put it in harness. If the dioceses have the power of combining, they have the power of committing such powers to the central body as they choose; and we have no control over the power that shall be committed to them, unless we act upon it here, and put this power in harness.

Mr. FRANCIS B. FOGG, of Tennessee:—It appears to me that there is great difference of opinion among the members of this House as to the powers of the General Convention and of the diocesan convention. Some are of opinion that the General Convention has much more extensive power than others are willing to concede; and then there are many members from New York and Maryland whose opinion is that it requires the assent of the General Convention for them to introduce any new form of government within their own dioceses. One great reason for this application is that there may be differences of opinion as to the powers of the Convention and the diocesan convention. And the reason of having a canon instead of a resolution is, we want a uniform rule that shall apply to all the dioceses. It does not attempt to define any powers. It says whatever is done by these diocesan conventions of a general nature shall be brought forward before this Convention at the next session, and the only reservation is that they may in the mean time make their application to the legislature of the State for the purpose of having legislation in regard to their common property. The constitution of the State of New York, I believe, provides that no corporation shall be granted without a reservation that its corporate powers may be repealed.

But there are many vested rights of the Church all dependent upon the general regulation of the Church, and the object is that they may make joint application that where the property has been in common it may be separated, and that trusts may be perfected. The legislature might act upon these requests if they were authorized by canon to make them, while some might not regard a resolution as sufficient authority. Under these circumstances it does not appear improper to proceed by canon.

Rev. Dr. GOODWIN:—There are two points to which I wish to call attention. One was mentioned some time ago, that this business of a federative council had been tried in the eastern dioceses. I have to say that in the eastern dioceses there never was such a thing as a federation of the dioceses. The case referred to, of the eastern dioceses, is entirely out of relation to this case, as in the eastern dioceses just as fast as the different States were organized into dioceses they ceased to have any representation in the common Council of the eastern dioceses. The eastern dioceses were one diocese. When Vermont was constituted a separate diocese, it had its separate convention, and had nothing to do with the eastern dioceses.

Rev. Dr. MULCHAHEY:—I think I am right in stating as a fact that these several States did retain diocesan conventions until they elected Bishops. There were diocesan conventions in connection with the general diocese.

Rev. Dr. GOODWIN:—They were not organized as dioceses; they were under one Bishop; at all events they have no analogy to this case. In regard to another point, it seems to me that the question is not whether, according to some, our action should be by canon or resolution, but whether we may, as to this Convention, under the constitution pass this canon; not, must we pass this canon in order that New York or any other part of the country may unite; but, have we a right to pass this canon? It is said by some to be a constitutional thing instead of a matter of canon, because they do not find in the constitution any authority to pass such a canon. I will refer to a canon of the same sort—canon 13. If the dioceses of New York should proceed to take this action, this General Convention could pass a canon which would put an end to it. Let us not have dioceses going forward to do what they can do, and yet that which the Convention can have the power to annul. The dioceses have properly asked that the federative council should be organized with the consent of the whole Church; and if they take the action, it is safe and can not be abrogated. The question is not whether it is necessary to do this, but whether we have the power to do it.

Mr. ———:—My mind has been partially made up against this canon, but upon looking at the canon as introduced and reported, I find the sting has been taken out. I think the grand difficulty will be in obtain-



ing the consent of another Convention to this conventional synod. I think it is better to postpone the serious consideration of this subject until that time comes. Upon looking over the canons of the convention of my diocese, I find a resolution was passed instructing the delegates to this Convention to vote in favor of the proposition. I therefore considered myself bound by it, though against my views, because I did not believe in making an organic change until the nearly unanimous voice of the Church concurred in it. But as all possible objections are taken away by the report of the committee, I am bound to vote for it. There is nothing of a constitutional question involved in this canon. It does not change the constitution; it does not change the laws of the Church; it is an *enabling* act, if you please. It permits any given number of dioceses to act together and make a proposition to this Convention; it simply gives them unlimited power of proposition to this Convention; and if their constitution be in subordination to the constitution of this Church, I can see nothing illegal or unconstitutional about it. I make a suggestion to the friends of the proposition and the committee reporting the canon, of a verbal alteration, which, I think, it would be desirable to make. Strike out the word "State," it being the last word but two in the resolution, and insert, "States included within the jurisdiction of the federative council." As it reads now it says "Church in the State." What State? It is ambiguous.

Rev. Mr. MARTIN moved the substitution of the canon as proposed by the special committee on the Provincial System for the canon as proposed by the committee on Canons except the words "and he shall be presiding Bishop thereof."

At the solicitation of several persons, the substitute was withdrawn.

Mr. ——— :—When this question was brought up in 1865, the project of New York was designated a provincial system, and under that name it is brought before this Convention as a provincial system. In the first place, it is a mere voluntary system, and is an organism in the Church which is against its constitution. This canon proposed by the Diocese of New York, allows a voluntary system which comes in direct conflict with the constitution of the Church, not only with the constitution of the Protestant Episcopal Church, but with the constitution of the Catholic Church. The constitution of the Church can not be made by man. There is no organism in the Catholic Church of Christ except the diocesan Church and the provincial Church. This introduces an organization which is heterodox, which is contrary to its constitution, because without precedent in the whole history of the Church. In the next place, the powers of this federative system are not well defined. It has no primacy; it is a mere mongrel system, a mere excrescence, and I think further than that, that it is encumbered with the very germs of disorder, disunion, and schism.

GOVERNOR FISH :—The gentleman has stated that it was first a mere project of the Diocese of New York. I deny it. I disclaim it. The project comes from a committee of this body on the memorials of three, four, or five dioceses. The canon before you is not the canon which New York asked for. Maryland has asked for it as much as New York. Western New York has asked for it. Texas has asked for it; and yet the Rev. gentleman has heaped epithets upon epithets, and has endeavored to put them all upon the Diocese of New York.

Mr. ——— : The memorial from the Diocese of Maryland is a different thing. I am willing to consent to a canon framed on the memorial of the Diocese of Maryland.

A deputy renewed the substitute.

Dr. MEAD—moved the indefinite postponement of the substitute if it did not carry the whole subject.

The substitute was withdrawn and the vote taken upon the canon, which was adopted.

Rev. Dr. RICHARD S. MASON—made a report from the Committee on the Prayer Book with reference to the Nicene Creed, concluding with the following resolution :

*Resolved*, That, the House of Bishops concurring, a joint Committee be appointed to consist, on the part of this House, of three clergymen and three laymen, to prepare and report for the information of this Convention, an accurate copy of the Nicene Creed, translated from the original Greek; and that the committee have leave to print their translation and report it for the use of this Convention.

Rev. Dr. MEAD :—That appears to me to give the committee full control of the question. If we act upon this, we authorize the committee to make the translation, and authorize the whole affair.

Rev. Dr. HAIGHT :—What is the use of appointing a joint committee by this House to do what twenty men on this floor are able to do?

Rev. Dr. MEAD :—If that report is now submitted, I move that it be laid upon the table.

Rev. Dr. PIERCE :—I call for a vote by Dioceses and Orders.

A member of the committee stated that the resolution submitted by the chairman of the committee was not the one that he had voted for. This statement subsequently appeared to have been made from a misapprehension; but on account of it the chairman withdrew the report.

Rev. Dr. MULCHAHEY :—I move that the second canon proposed by the Special Committee be taken up in order, the several sections in order.

Rev. Dr. MEAD :—As we have debated the question some time in connection with what we have just voted upon, with the view to test the sense of the House, I move to lay the subject on the table; which motion was agreed to.

JUDGE BATTLE, from the Committee on Canons, to whom was referred a proposed amendment, with an

amendment concerning the consecration of churches, reported again resolutions for adoption by the House.

JUDGE BATTLE:—I would merely state to the Convention that I have not heard any objection to the first section of the canon, and I move its adoption.

Rev. Dr. BEARDSLEY—of Connecticut. I wish to ask a question, the answer to which may affect my vote. There may not be many cases of the kind in the country, but I know one venerable parish which does not now, nor can ever, have a title to the land upon which its edifice is erected. If Trinity Church, New Haven, which stands by the courtesy of the city authorities on public ground, should be burned down, I do not see how the new one could have the form of consecration of church or chapel used. Many of the earliest churches in Connecticut were built on what was called a public common, and here and there a church, we suppose the original one, occupies the ancient site. Rome, I believe, does not build her churches and cathedrals or houses upon lands to which she has not the full title or the ownership, and the wisdom of her policy in this respect is great. I think the canon is a wise one, but I should like to know if it is intended to apply to the case of a church erected upon a public park or common.

Judge BATTLE—said that unless the title was secured the church could not be consecrated, but he thought that the Convention should not refuse to adopt this principle because of a few exceptions of that sort.

Rev. Dr. MEAD:—By the law of Connecticut possession for a certain length of time gives fee simple.

Judge BATTLE—said that that was good law in his State.

Mr. WM. SAMUEL JOHNSON—the title is in the city of New Haven. As to my own parish, the title is in the town. The license was granted to the Congregationalists to place their church on that land. So it was long a question much debated, and of a good deal of historical interest. In the first instance we were permitted to build our house upon a hill; but the timber being collected was burned up by our opponents for the reason that the Episcopal Church was not to be placed upon land higher than the Congregational Church. The town granted us power to set our church upon land on which it was built in 1744, and which is on a lower level than the site of the Congregational Church; but we have no title not even by possession; for, to the learned Deputy, I will say that the Statute of Limitations does not run against the State bodies.

Mr. ———:—I have passed my life in the West. Very frequently there it is the case that we have the land upon which to build churches, and have given notes to run for many years. Take a State like Oregon, or a new State like Nebraska, a few men buy the property and give their notes; as they become due the notes are paid; but their notes would be a lien upon the property; there would not be a title. I want to ask in that case if the church could be consecrated?

Judge BATTLE:—No, sir. The very object of the law is to prevent it.

The DEPUTY:—The church in which I worship is to be consecrated yet; we have not paid every dollar upon it. With this understanding of the report, I shall vote against it.

Mr. ———:—I wish to throw out one single consideration. I ask the members of this Convention whether the very specifications first from one and then from another diocese do not show that it is wiser to leave this question where it has always been left, namely with the Diocesan Conventions? We have no objection, in our diocese, but the succeeding two clauses are in direct conflict with the law of the State. Does not the fact that one of the clauses is already in harmony with the diocesan legislation of one or more of the dioceses where the state of the public law admits it, and that it is in conflict with the legislation of the other dioceses, show that it is a question which had better be left to the Diocesan Conventions? I ask whether these facts do not furnish a satisfactory ground of belief that it is better and more expedient to leave this class of questions to diocesan legislation?

Mr. ———:—I know of a church now in the course of erection; it is necessary to purchase four lots from four different owners; one refuses to sell except on condition that he have a mortgage upon that property and no other.

On motion the canon was laid on the table.

On motion the House proceeded to the consideration of the Report of the Committee on Canons, amending canon eleven, "of persons not ministers of this Church officiating in any congregation thereof." The proposed amendment was as follows:

No minister in charge of any congregation of this Church or, in case of vacancy or absence, no churchwarden, vestryman or trustees of the congregation shall permit any person to officiate therein without sufficient evidence of his being duly licensed or ordained to minister in this Church.

Rev. Dr. CRANE:—I would much prefer that that amendment which I proposed should be carried through; but we are arriving at a late period of the session; and there is hardly time for this to go to the House of Bishops and receive their sanction, if they should see fit to give it. It is absolutely essential that this should be acted upon, and in order to save time, I am willing to withdraw that amendment, and take the canon as it is proposed by the Committee on Canons, withdrawing my amendment and proviso, and adding this proviso: "Provided that nothing herein shall be construed as forbidding communicants of this Church to act as lay-readers."

Rev. Dr. MAHAN:—So far as I am concerned personally, I am perfectly willing to adopt that amendment, though at the same time I would say that that point was duly considered by the committee, and we all consider it as included in the canon anyhow; but still to



make assurance doubly sure I am confident the committee would adopt it.

Rev. Dr. HOWE:—It seems to me that the whole thing is in the canon as it is. It is a sort of canon of common sense that comes in, in the case of an emergency.

Rev. Dr. CRANE:—There is a reason for the proviso which I have here presented. It is very important that we get this canon as it has come from the committee. I am willing to accept it in that form. I may state also that there is a large portion of this Convention, or the delegates from a large section of our Church, who make a representation of this kind: they say that not a few of their churches are now destitute, unless they can obtain lay-readers; but that they cannot get those lay-readers to take a license, and that their churches would be left without service simply on the ground that if you say lay-readers must be licensed, they will not accept the license; and they say further that they must vote against the canon as they understand it shuts out lay-reading without a license.

Rev. Mr. CORBETT—asked whether the licensing was not now under the control of the Bishop, and said that the Bishop of his own diocese had claimed it; and the Bishop of Kansas had done the same thing.

THE PRESIDENT:—They had no right to enforce that without further legislation.

Rev. Mr. CORBETT:—I understand that the Honorable gentleman who has offered this amendment has stated that he left it in this loose way in order that Methodists or anybody may come in and lay-read.

Rev. Dr. CRANE:—I have no such intention. The language of the proviso is "provided that nothing herein shall be construed to forbid communicants of this Church acting as lay-readers."

Rev. Mr. CORBETT—objected that by this provision lay-readers not being licensed might come in and teach heterodoxy, and he, therefore, would move to lay the matter upon the table, if the permission to lay-read without license were persisted in.

Mr. J. J. PRINGLE SMITH:—This is a matter of absolute necessity in some parts of the country, of necessity against theory. There are many parishes in South Carolina which are without ministers; and the congregations again and again send for some gentleman to lay-read, and they would be without worship at all if some gentleman would not lay-read. This is an emergency which in the present condition of our dioceses cannot be now removed. There are gentlemen willing where the case occurs to minister in this way; and there are many parishes that are only kept up in this way, which could not be if this restriction were put in.

Rev. Dr. CRANE:—I am willing to take the canon precisely as it comes from the Committee on Canons. My object in offering the amendment was to get this through without debate, and without long speeches. I am anxious that the canon should be adopted; but that

proviso carries with it nothing more than is practised in the Church everywhere. The rector of the church comes in and goes part way through the service; his voice breaks down, or he is, as I have known myself, unable to go through the service; he thinks that by the time he arrives at his sermon, he may be able to preach; and he calls some respectable communicant of his church to read for him; that is lay-reading. It is understood by a large portion of the House that this is a violation of the canon. Merely to get rid of this objection I have proposed this proviso. When it is once passed, if you choose by-and-by, you can strike it out. But what I want now is to get that canon through as easily as possible.

A motion to lay the canon on the table was lost.

The question then recurring upon the amendment of Rev. Dr. Crane, it was adopted.

The canon as amended was then adopted.

Rev. Mr. BRECK—stated that the publishers of THE CHURCHMAN, who were publishing a full report of the debates and proceedings of this House, were ready to receive subscriptions for the report in book form, and offered a resolution, which was adopted, authorizing the Secretary of the House to purchase ten copies of said report for the use of the Convention.

Rev. Dr. HOWE—made a Report from the Joint Committee to examine the proof-sheets of the proposed Standard Bible continued at the last General Convention submitting the resolution, which was adopted,—that the Oxford edition [1852] of the Bible be adopted as the standard of punctuation and typography. The committee was discharged.

Rev. Dr. PIERCE—introduced a series of resolutions, concluding with one for a Joint Committee of both Houses to consider the question whether foreigners may not use the Liturgy in their own language, and to report to the next Convention. Laid on the table.

On motion of Rev. Dr. Howe the House reconsidered its action discharging the Committee on the Standard Bible, having been informed by Rev. Dr. Howe that a person had stated to him that a member of his congregation was contemplating an appropriation of Twenty-Five Thousand Dollars for the purpose contemplated by the Committee.

On motion, the House adjourned to half-past nine to-morrow morning.

#### SIXTEENTH DAY.

Saturday, Oct. 24th, 1868.

The House met pursuant to adjournment. Morning Prayer was said by Rev. Dr. BERKLEY and Rev. Dr. REYNOLDS.

The benediction was pronounced by BISHOP KEMPER.

Rev. Dr. HAIGHT, from the Committee on Canons, submitted report No. 27, with reference to the proposed amendment of Canon 5, Title 3, of "Congregations and Parishes," by the addition of a clause whereby, in a

certain contingency, a new parish may be formed, without the consent of ecclesiastical authority. The committee regarded the proposed amendment inexpedient—did not think it a safe principle to adopt, that any parish should be formed without the express, positive consent of ecclesiastical authority. A resolution to this effect, reported by the committee, was adopted.

The Committee on Canons reported a canon for adoption, by the House, on the subject of divorces; which, at the request of the committee, was allowed to lie on the table to be called up.

The Rev. Dr. HUBBARD rose to a personal explanation, with reference to yesterday's report of the Committee on the Prayer-Book, saying that the statement of a member of the committee, that the resolution reported was not what he had voted for, arose from the entire misapprehension of two persons, who were not present at the time of the action of the committee.

On motion of the Rev. Dr. RYLANCE, the Committee on Arrangements of this House were authorized to consult with any committee that might be appointed by the House of Bishops, and to make arrangements for the concluding services.

Mr. DEMILL, of Michigan, offered the following resolution:

*Resolved*, That the thanks of the House are due, and are hereby tendered, to those who have officiated as the choir at the services of this Convention, and—

*Resolved*, That authorities of the diocese in which the next General Convention is to be held be desired to make similar arrangements for music.

Mr. O. MEADS:—I hope such a resolution as that will not pass. I hope we may trust the diocese or church in which the next Convention is to be held, to make such arrangements for us as shall be suitable. I believe we have in every diocese a Protestant Episcopal Church, and I think we ought to assume that it is competent to conduct services in a proper manner, and that we can leave it with them to make proper arrangements.

Mr. DEMILL:—I offered a similar resolution three years ago; and I offer it again. Until all members of the Protestant Episcopal Church are instructed as to what belongs to such a Church, I hope that the House will pass that resolution. With reference to music which I heard last Sunday in a certain church, I would say that it was music; but I could not understand it; it was not the character of music I want to see the Church adopt. The Church has adopted a certain style of music, and I want to see it recognized by this Convention. There was no opposition to the resolution three years ago, and there ought to be none now. I trust this resolution will not be laid upon the table. [Such a motion had been made and withdrawn] for I think the Convention, into whatever diocese it goes, should control the services. If we go into Maryland, North Carolina, South Carolina or Georgia—though I may not go there myself—I do not want the parish

church to control the Convention. The resolution is not intended as any disrespect to the diocese. It was not so considered three years ago; and I do not see how it can be so considered now. I want the Convention to control their services. When this Convention opened at Trinity church, the music was very satisfactory; it must have been so to every one who attended; I have never heard a single complaint of the music at the opening services. I want the same character and style of music when we meet again.

Mr. WELSH—said that he thought this Convention had no control over the music of the next Convention; that was their business; he hoped the gentleman would withdraw his resolution.

The resolution was withdrawn.

Hon. S. B. RUGGLES offered a resolution, which was adopted, with reference to the printing and distribution of five thousand copies of the journal of this Convention.

GEORGE F. HOUGHTON, of Vermont, offered a resolution inviting the Rev. William Chauncey Langdon, a member of the Committee on the Italian Reform Movement and its representative in Italy for two years last past, to address the House on the subject under consideration.

Gov. FISU, while having a hearty sympathy with that movement, hoped that the House would establish no such dangerous precedent as inviting a gentleman to address them, who was not a member of the Convention.

The resolution was then withdrawn.

The following resolution was offered:

*Resolved*, That it be referred to the Committee on Canons to consider and report, if it be deemed expedient, by canon or otherwise, prohibiting the holding of General Conventions in consecrated churches.

The mover of the resolution remarked:—Mr. President, I believe this Convention to be as orderly and as reverential as any which it has been my privilege to be a member of; and I do not know that this Convention is prepared now to act upon a proposition like this and I trust the time is coming when this council of the holy Catholic Church will set the example of not seeming to desecrate the house of God in any measure. I have been taught to believe that upon passing the threshold of the house of God the voice is to be hushed, and in no case to be heard, even in a whisper, save only as attuned to the prayers and praises of God. I trust to see the time when our consecrated houses will be used only for that purpose for which they were consecrated, being set apart from all unhallowed, worldly and common uses. With this view, and believing I am standing on holy ground, and speaking not as I believe we should in churches, I simply move that this resolution be referred to the Committee on Canons.

Mr. WELSH, of Pennsylvania:—I should be glad to have the matter referred, because it is a subject of very



great importance. We all feel that God's house should have associations so sacred about it as to aid those who desire to worship. I never saw a convention as orderly as this; yet, even here, habits in the different parts of the country differ so much that what is thought little of in one place is regarded of much consequence in another.

Rev. Dr. RYLAND:—What we need is a large chapter-house to be built for such a Convention as this. I think the time is coming for it. It would, of course, have to stand in some central portion of the country; and, as it is admitted on all hands that Chicago is to be the metropolis of the future, I trust it is to be the place of the chapter-house.

Hon. S. B. RUGGLES:—This debate, which seems to give so much pleasure to many members of the House, I have not heard without considerable pain. It is a grave proposition, introducing a measure in this House declaring that this Convention shall not be held in the house of God, where it has always been held. I should hope that the gentleman would go no further with his proposition of leaving these consecrated places and going to places desecrated. In answer to my esteemed friend, I would say that he will have to exert himself to produce anything more spacious than Tammany Hall! And are we to go to Tammany Hall! For one, I should be sorry to be left to the mercy of any committee who would send us to any such place, so desecrated by political strife. I should rather hope for a withdrawal of the resolution.

Rev. Dr. HARE:—I rise to suggest a difficulty in a resolution of this kind. I have attended here every day, and every night at the Board of Missions; and I remember, one night, when we listened to a very eloquent appeal from the Bishop of Pittsburg, that there was a universal burst of applause in the Board of Missions, and the Board of Missions holding its meetings in a consecrated place. I say universal—I may possibly be mistaken—but it seemed to me that, to the best of my recollection, I was the only person in this building that refrained from loud applause. I do not presume to fault anybody who did so. I know that such things were done in the early ages of the Church. I am not approving of it, but admitting it. But it does seem to me very difficult for myself to applaud in such a place, from long habit of not giving vent to my feelings in the house of God. I remained perfectly still while there was a universal burst of applause. But that was the most demonstrative meeting that has been held in any consecrated building, to the best of my knowledge, since the opening of the Convention. I therefore suggest that if the resolution be pressed, to have such a canon enacted it must include other meetings than those of this Convention. If this were the proper time—I should like to speak of much greater grievances—that in consecrated buildings pews are sold to Turks and infidels under the auctioneer's hammer.

Mr. ————:—I think we should be governed by the consecration service. We have the words of the consecration services that “these houses are erected for the public worship of God and separate from all unhallowed, worldly, and common uses, in order to fill men's minds with greater reverence for His glorious majesty.” I contend that our experience, the experience of rectors who have had churches used for other than Divine services, is that sometime subsequent to these meetings a feeling of irreverence has attended the minds of many who worship in the sanctuary. It is almost impossible for a convention like this House, or the Board of Missions who sit in this House, if they feel an interest upon the subjects brought before them, to repress an enthusiastic feeling, and at times an outburst of applause. These things we know are derogatory to the character, the devout associations of this place, and I hope there is not a true churchman who does not, in the honest conviction of his mind, wish for an alteration. The only way in which we can do it is by the passage of a canon which shall enact that other places shall be selected. The difficulty of having a Chapter-house would be this: a convention does not assemble in one city only; but that difficulty might be obviated by selecting some place of secular meeting. In all the principal places where the Convention has assembled, or will assemble, there are always places of sufficient capacity to accommodate the Convention; and there is no necessity for this Convention ever assembling in the House of God.

On motion the resolution was laid upon the table.

On motion, Judge Battle was allowed to make a personal explanation with reference to the canon on the subject of consecration of churches, he having been, on yesterday, suddenly prevented from making a speech on the matter, by a motion to lay on the table.

Judge BATTLE:—The object I had in view is not exactly answered [by leave to explain with reference to the canon]. It will be recollected that a precedent was established, early in the session, that any member of the Committee on Canons who had charge of a measure from the Committee on Canons should have an opportunity of replying to objections. I had the honor of being charged with this measure. At last a motion was made to lay on the table. I did not wish to say anything, because I had no right to say anything pending that motion. I thought it was nothing more than fair that after these objections had come from various quarters, the House should extend to me the courtesy to make a reply to the objections; after which, it was competent to dispose of the measure as might seem best. An objection was made by a gentleman from Connecticut, which I think, I could have successfully answered; and there may have been other objections to which I could have made satisfactory answers. If the canon is taken up, I wish to have an opportunity to make a reply to these objections.

A motion was made to take the canon from the table to be acted upon at the present time.

Rev. Dr. MAHAN:—I would second the motion, be cause it seems to me that the whole subject now rests in a queer predicament.

Rev. Dr. STUBBS:—I hope the House will yield this request. The canon was first planned by me and I put the bantling into the hands of the Committee on Canons. They went to work and dressed it up in such a form that when it came out I scarcely knew my own child [Laughter]; and it appeared in such ugly features that the Convention would scarcely look at it. I knew well enough that there was a difference of opinion upon that point; but there were certain grand principles contained in the canon which I wished to have enunciated distinctly by this House; for I maintain there has been no greater abuse in this whole country than has taken place in reference to the desecration of buildings consecrated to Almighty God. Inasmuch as the consecration service is used by the whole Church, it is worthy of this body to pass a canon in reference to such a service.

The motion to take up the canon was agreed to.

Judge BATTLE:—I must confess I was taken somewhat by surprise by the action of the House in tabling the canon. I thought that if any principle in the world commended itself to the judgment of this Convention it was that a church after being consecrated should not be desecrated so far as human means could prevent. That principle is set forth clearly in the first section of this proposed canon. [Reads the first section].

Now, sir, that completely accomplishes the purpose, that after it is consecrated it shall not be desecrated, not applied to any unholy uses. But if not free from debt, and the title not secured, what security has the Church that the building may not be sold for debt?—that some person cannot recover it, if there be an outstanding title, so that it may be applied to unholy purposes? As to the objection raised by the learned deputy from Connecticut, that they have a church in Connecticut so situated that no title could be secured, a gentleman from the same diocese replied that a long enjoyment of the property gave a title. That was doubted: I stated it was good law—that it would no doubt be good law in the part of the country from which I came. I know that the State is not barred by any ordinary Statute of Limitations. In the diocese in which I live there is a certain provision that the State shall not be barred. But there is another principle in Common Law well known to every gentleman in this House, that there is a presumption of a grant even against the king, and certainly against the State. Now, it seems to me that when a church has enjoyed the privilege of location upon land, even if it belongs to the State there would be a presumption in favor of the title, on behalf of the church. He says that it belongs to New Haven. Well, New Haven is not a State; it is no more than a private individual; and the ordinary Statute of Limitations would bar anybody but the State; and the presumption

of the Common Law shows that even then there would be no such difficulty as the gentleman affirms. But suppose they could not get a good title in New Haven for that property, is this great principle to be set aside, merely because in any particular place you cannot get a title to the property? There is no difficulty so far as the church now stands; and there is a mere possibility that at some future time that church may be burned and another built in its place. I don't tell the gentleman as the yankee said, to keep it well insured so that it may not be burned down; but if they have not a good title, let them build somewhere where they can get a good title. But I say that Connecticut is governed by the Common Law of the land. Is this Convention prepared to say that when a church is once consecrated, set apart for the purpose of worship of Almighty God, it may be desecrated? If it is, I have nothing further to say. This canon secures it against such a thing. Those who vote against it do not entertain the views I do. It is said, we had better leave it to the different dioceses, and let the different dioceses pass such a law as this. I think we had such a law, and in our diocese, I believe our bishop will never consecrate a church unless it is free from debt; but it does seem to me that whenever a public building is set apart to the worship of Almighty God, it should be applied so far as human means can prevent to no other purpose. If this first section is adopted, then there are two other sections tending to give security that it shall be applied to no other purpose than this for which it is erected. It seems to me that we ought not to omit on this occasion, to pass this canon in order to establish, as far as we can by human means, the great principle that no church when set apart for the purpose of worship of Almighty God shall ever be devoted to any other less holy purpose.

Rev. Dr. BEARDSLEY, of Connecticut:—I am as much in favor of preserving our churches from desecration as the learned Deputy from North Carolina. I meant to say that Trinity Church [New Haven] and some other churches of Connecticut are built upon what is called public squares; and some of the successors of those early churches still occupy the same sites. If they should be burned down or should be displaced and others erected, I do not see how under this canon they could receive consecration. I think the operation of this canon would be a hardship in many cases. Take the case of a young vigorous parish started in a thrifty and rapidly growing parish composed of members who are in moderate circumstances, of young men just starting in life. They are full of Christian faith and zeal; they purchase a lot and erect a church upon it; they make every exertion to meet the expenses of building, which in these times would be burdensome in almost any portion of the country. Suppose they are in debt a few thousand dollars? the church is not in *peril*. Will you say to the members of this young parish that they shall not enter this church with forms of consecration?



In Connecticut, before the Revolutionary War, the churches had no consecration. We had no Bishop in this country. What was the consequence? When we had a Bishop, the people did not care to have their buildings consecrated. They had occupied them for forty or more years, and they were consecrated by their prayers.

I do not see why this matter should not be left to the different dioceses of our country. The Bishop knows when the church is in peril, and he will not consecrate it in that case. I think it is perfectly safe to leave this to the dioceses.

Mr. N. H. MASSIE, of Virginia:—Before a vote is taken on the canon I think it would be best to have the matter tested by a motion to lay on the table. The conventions of the different dioceses are as competent to protect churches from desecration, knowing their own peculiar customs, as this General Convention. In fact it is almost if not quite impossible for the General Convention to regulate this matter, because there are so many peculiar exceptions to the rule in different parts of the country that it would amount to nothing.

The vote was then taken upon the motion to lay upon the table, and was carried by ayes, 87; noes 65.

The Committee on Expenses recommended the adoption of a resolution increasing the quota from two to three dollars to meet the incidental expenses of the Convention, and also authorizing the Secretary of the House to make if necessary additional assessments; which resolution was adopted.

Rev. Dr. HAIGHT—submitted a report of the Committee on Canons, No. 29, with reference to a proposed canon relative to the Standard Prayer Book. The committee reported that in their opinion it is not expedient to adopt the same, and offered a resolution to the effect that a note should be inserted in future editions of the Prayer Book, specifying that alterations had been made in several of the late editions heretofore printed.

Rev. Dr. HAIGHT—from the Committee on Canons, submitted a report proposing an amendment to Canon 2, Title 2, "Offences for which Ministers may be tried and punished." This first section, said Dr. Haight, is entirely re-written, to make it like a corresponding canon on the trial of Bishops, which was prepared with very great care, and is supposed to contain the latest views of this House upon the subject of the trial of all orders of the clergy. It is in order to get rid of the slight inconveniences which have resulted from the phraseology of this canon. Section 2 is the same as the section in the existing canon except in so far as the designation of offences is concerned. The House will observe that the change proposed in this canon relates simply to the enumeration of offenses for which ministers may be tried and punished.

Rev. Dr. ADAMS:—I would suggest that an additional clause should be added so that it may say—"the refusal to submit to ecclesiastical sentence duly passed."

[Laughter.] I believe that is not in the list of crimes. I believe it is necessary under the circumstances. Our ecclesiastical court is a court simply of the Church and has no power to enforce its sentence otherwise than by the power of the court. By putting this in we shall stop a gap that may admit a good deal of mischief.

Here were received from the House of Bishops—

Message No. 32, informing the House of Deputies of the adoption by them of a canon on the subject of marriage and divorce.

Message No. 33, asking the prayers of this House while the House of Bishops is engaged on the subject of Indian Missions.

Rev. Dr. HAIGHT, (resuming):—the gentleman has suggested an amendment to the proposed canon. I can not accept it because it is desirable to have it correspond with the canon on the trial of Bishops. Until it is proposed to change that, it is not worth while to accept this amendment.

Rev. Dr. ADAMS:—I do not suppose any member of the House of Bishops would be capable of that offense.

Mr. WELSH of Pennsylvania:—I learn that the House of Bishops after the pattern of St. Paul, have asked the elders and brethren to pray for them, that they may be guided in this matter of the Indian Bishopric. I move that the House unite in prayer. The motion was agreed to.

A resolution was then offered expressing the interest and sympathy of the House regarding the Italian Reform-movement.

Rev. Dr. MAHAN:—I move the adoption of this resolution. In regard to this Italian movement we need to be more enlightened than we are to have any warm feeling about it. But there is no doubt that God's spirit is moving upon the face of the earth in those old countries in a peculiar way; and it is right that our branch of the Church should be at least awake to a subject which may be, for aught we know, one of vast importance. I can only say in reference to this, that the few persons who have taken the pains to examine the publications of the Italian reformers, and get some information on the subject, are satisfied that there is a very important and profound movement going on. We do not undertake to be prophets, to say what it will come to; but there is one thing certain, that if true Christians will be alive and will direct their prayers to God, and will sympathize with what is good in the movement, it will come to a much better end than if they remain entirely inert and express no kind of sympathy whatever. As these resolutions are simply expressive of an interest in the subject, there can be no harm in passing them. I move the adoption of the resolutions reported.

Mr. WELSH:—I rise to second the motion. I hoped that gentlemen more familiar with the subject would second it. Our Bishop of Pennsylvania, took a deep interest in the movement; he saw its ripeness, and

thanked God, and took courage. Less than is proposed in those resolutions surely we could not do. A presbyter of our Church has been examining the field; he finds it is ripe. They are looking to this great republic for sympathy; and all they ask is that we should look upon them, and smile upon them, and pray for them. The telegraph has given notice that in Spain there is something of a similar kind; and just in proportion as this Church does the work of Christ may we expect to see that corrupt Church of Rome yielding. I think we can do nothing less than pass resolutions of this kind and strengthen the hands of those engaged in the work.

Rev. Dr. GOONWIN:—For two or three years past I have been in the habit, more or less, of reading the Italian periodicals in relation to this subject. And have also had a pretty familiar acquaintance with an Italian gentleman, an earnest young man, who has come into our Church, and who has familiarized himself with the movement; and it seems to me that the resolutions proposed do not go any further than we may safely go. I understand there are three different classes in this Italian movement. There is a political movement; a reformed catholic movement; and there is the enlarged Protestant movement of the Waldensians. Even as regards the party whose interests are chiefly political, I do not see why we may not sympathize with their negative movement—not so far as they are running into infidelity—but if their efforts should result in an emancipation of Italy from the Pope, so far we might sympathize even with that movement. The other movement of the religious party as far as it goes is just what we may desire. It simply does not go so far as we may desire, not so far as I would desire before I could give it my hearty sympathies. There is no disposition so far as we can learn to abandon the supremacy of the doctrines of the Romish Church, but they look chiefly to a reform in discipline; but if that reform take such a direction as we may hope in carrying it out, aided by the prayers of true Christians, the Italian reformers may be led to go farther even to reforming their errors in doctrine. And as to the other part of the movement, the Waldensian movement, I do not know why we may not sympathize with that, so far as it is a tendency to the purification of the Church of Christ, and the enlargement of a true knowledge of the Gospel. And, therefore, with simple knowledge of the facts of the case, I am ready with the gentleman who has preceded me, to heartily endorse the resolutions as I understand them.

Mr. ———:—It seems to me that there is a phrase in that resolution which might better be omitted. The phrase is “the glory of Italy.” I suppose there is no objection on the part of any one to sympathize with whatever may tend to the glory of God and the prosperity of His Church. I hope that phrase may be stricken out. [The Secretary—It is true glory]. The term “true glory” is not exceptionable.

Rev. Dr. RYLANCE:—It may be that the strict order

and discipline of this House properly forbid the possibility of one from without coming upon this floor and speaking to us upon this matter; yet I am quite confident that in attempting to arrive at the just appreciation of this matter and thus intelligently to pass these resolutions, we suffer very seriously; for it appears, apart from the document read, we have not a great deal of information on this subject in this House, at least it does not seem that we are likely to get at it. I am quite sure, to pass those resolutions with any sincerity of affection, we need such information—we need more than is generally known. For one, I have lately been down the Italian peninsula, and I found very little evidence of the reform movement there. I did hear some things damaging to it; and I for one, should like to ask if we can get in a proper, legal, and orderly way an answer to a question like this, as to what kind of material as yet stands out from the Church of Rome legitimately in sympathy with this reform movement? Is it chiefly, almost exclusively, what you might call the waste material of the Romish priesthood? or is it, to any hopeful extent, composed of men who are representatives of the best type of the priesthood? I heard hints there by persons knowing the facts, stating that the men who have as yet come out to speak and act in sympathy with the movement, are men who are encumbered with immoralities. I do not say all, but I say many. And therefore we should understand a matter like this in order intelligently and conscientiously, to give our view as to what is the strength of the reform movement. I should like to know how far this middle movement openly and expressly cuts itself loose from Romish error and falsehood; for instance, how far it has expressed itself upon a point like this, namely, the supremacy of the Bishop of Rome. In order that we may pass these resolutions, I ask that some one, if any one is prepared, should answer such questions as these.

Rev. Dr. HUNTINGTON:—The Rev. Mr. Langdon who has made the investigation in Italy, has no place in this House, and is unable to make an answer to the questions raised here; and it is apparent to the whole House that the questions cover a wide ground and require a long time to answer them. It may, however, be said that a commission of an informal kind was established at the last Triennial Convention; and of that informal commission thither, Mr. Langdon has been the agent. There are several clergymen of our Church who are, judging from his correspondence, competent to form a judgment. That correspondence is to a certain extent confidential necessarily; for it would be impossible, I suppose, to bring before the public all the facts pertaining to this matter without compromising the best success of the movement. I only rise for the purpose of saying that having had access to these documents and personal acquaintance with the Rev. Mr. Langdon, I have the utmost confidence in what he has done and is doing. He seems to be acting with extraordinary



ry prudence and discretion. It seems to me that he is acting for the true interests of the Church of Christ and for the glory of God. Questions have arisen of a very delicate and complicated character with regard to certain individuals who lead in this movement in Italy. There has been a continual controversy carried on in the Church papers in England, in which controversy several able writers are in the field and are taking part. I think if all that is known upon the subject were spread before the House, the members could come at once to one conclusion, that is, that we shall be safe, we shall be advancing the interest of the cause of Christ, by adopting the resolutions and seconding Mr. Langdon's exertions in every way in our power.

REV. CHARLES BRECK:—In this movement we see a most remarkable fulfilment of the written declaration of Jarvis when he was in Italy, and he held confidential intercourse with quite a number of the dignitaries of the Church of Rome, who in confidence, and knowing that he could not betray that confidence, intimated to him their deepest regret that they did not occupy the position of the Clergy of the Church of England. And I think that in the developments that are going on now, in the open and bold manner in which some of these reformers are speaking out, we do but see the fulfilment of the predictions that Jarvis told us some of us would live to see realized; I think if we could look upon the faces of the men that Mr. Langdon has come into contact with, we should be so deeply impressed that we would say that these are representative men, that we would feel that they were as remarkable a body of men of reformers as the world has ever seen or ever looked upon. One of these distinguished men, who has been thrown into prison twenty times for openly proclaiming the truth—if you could look upon that man, you would feel that he might be placed by the side of the noblest men of the sixteenth century; and we may all of us honour Count Tasea, who now venerable, bowed down by years and by suffering, yet boldly does all he can to aid the movement, and boldly supplies Christian literature so far as means will allow, to certain persons who go out into the valleys distributing this literature for the advancement of the Christian Church. And there is a remarkable fact stated in this report, that these men, in looking into antiquity and into Holy Scripture, have worked out for themselves just such a Church as we have in this country—more nearly like our Church, than that of any branch of the Church in the world. But, as the gentleman who has just taken his seat has said, there is so much of this that cannot be openly brought forward, that we have to rely upon one of our own clergy and one of the English clergy for much of our information in regard to this matter.

MR. RUGGLES:—I feel called upon to add a word upon the word "glory." The question seems to be whether in this religious body we can in any way allude to the welfare or glory of a nation. We have a precedent in our action at the first meeting of this Church which con-

gratulated George Washington upon his election as chief magistrate of the United States, to which the bishops replied most affectionately and respectfully; which seems to establish the principle for me that this Church may look to the secular welfare of a nation.

REV. DR. RYLANCE:—I would not have it thought and understood that I am unfriendly to this movement. My heart is in it. Mr. Langdon may understand that I am not unfriendly to it, but simply wish to elicit information. I am a friend to the movement, but I feel that truth never fears light.

The question then being taken on the resolution from the House of Bishops in regard to the Italian movement, this House concurred; as also in another resolution from the House of Bishops continuing the joint committee on Religious Reform in Italy, and adding three laymen.

On motion the House proceeded to consider the message from the House of Bishops on the subject of divorces.

The proposed canon was then read by the Secretary as follows:

The ministers of this Church shall not unite in matrimony any persons of whom one has been divorced for any cause arising subsequent to the previous marriage, other than adultery; nor a person divorced for his or her own adultery. For the purpose of this canon, divorce is hereby defined to be "*divorce a vinculo matrimonii*," formally decreed by a civil court.

MR. RUGGLES:—I would state a preliminary question which concerns the form of proceeding in this House. It involves the question offered by my friend from South Carolina as to the effect of a resolution from this House as distinguished from a canon. As I understood my friend a resolution was superior to a canon.

The importance of a resolution is now manifest; because there is a resolution standing on our files and part of our record on this very subject, which, if it has the effect of a canon, makes the passage of the canon, unnecessary. The resolution passed in 1808, May 26th, is this: "Resolved that it is the sense of this Church that it is inconsistent with the law of God, and the ministers of this Church shall not unite in matrimony any person who is divorced unless it be on account of the other party having been guilty of adultery." There is a resolution that establishes the law, if a resolution can do so.

MR. TAZEWELL TAYLOR, of Virginia:—If I understand what the question is, it is upon the adoption of the canon. I beg leave to say that no member of this House more heartily feels the sentiment that divorces are contrary to the law of God, and no man has done more than I to throw every obstacle in the way of divorces. I would not consent to be an attorney in any divorce case. But there are legal difficulties in passing a canon of this kind. A canon would be inoperative except in so far as it expresses the sentiment of the convention. A minister in my State—I don't know how it may be in other States—is a civil officer. He has to go before a court and obtain permission to celebrate the ceremony

of matrimony. He gets an appointment and the condition of the appointment is that he will not celebrate the rites of matrimony between persons prohibited from marrying by the laws of the State. If he refuses to perform the ceremony where there is no legal obstacle, he is liable to a penalty. Our canon cannot override the civil law; it cannot destroy the civil function of the minister.

Rev. Mr. PERKINS, of Ky. :—Will the gentleman allow me to interrupt him for one moment? I have never so understood the license that a minister receives from the civil officer as compelling him to perform the rite of matrimony in the case in question. It is a permission for him to do so; but he can determine for himself whether he will perform the rite or not.

Rev. Dr. ANDREWS :—A man might have a right to sue [a minister for not performing the rites of marriage] but every man knows it would be futile to sue in Virginia.

Mr. TAYLOR :—That may be so, and why put it in the form of a canon?

Rev. Dr. MEAD :—A resolution is insufficient. It has been brought up several times in Connecticut, and the Bishop has always said the resolution does not bind you not to perform the service; and you must do what you think best. My advice is not to perform the service, but if you see fit to do it you have a right to do it. I know one case in which a clergyman refused, by the Bishop's advice, to perform the ceremony; but the very parties have gone to another clergyman and had the service performed in that very State. There have been cases in the State of Connecticut where clergymen in the Romish Church have decided "I will not do such and such a service." Cases have been brought up before the civil courts, and there has not been an instance in which there has been a civil action brought against a Romish Priest for declining to violate the law of his own Church, where the clergyman could say I am forbidden to perform the rite, where he has not been sustained by the court in his refusal. I do want to have this canon passed, that our clergymen may be placed in a similar position.

Mr. TAYLOR, of Virginia :—I wish the Convention to understand my objection. The minister does not arrive at his authority by virtue of his ordination; and it is not proper to pass a canon, while it is perfectly proper to pass such a resolution.

Rev. Dr. CLARK, of Connecticut :—The clergy of the denominations within the last two years have, started by the venerable President of Yale College and others, brought memorials on this subject of Divorce before the State Legislature, but they were put aside. Our own Diocesan Convention passed unanimously resolutions instructing the delegates to memorialize this House that something may be done in this matter. The fact was brought before us that the number of divorces was one tenth of the number of marriages. That is an awful state of things. And it is equally as bad in Massachu-

setts. I do hope we shall not separate until we have something enabling us to say positively "I cannot perform this service, and I will not." I have said I never performed the service for any who have been divorced for any thing less than adultery. I hope we shall have a canon under which we can protect ourselves.

Rev. Dr. STUBBS, of New Jersey :—The argument used by the gentleman from Virginia is one which has been frequently used in this body before to-day. I wish it might be met. It was a very favorite argument with our venerable and much lamented friend, Judge Chambers—I mean the argument derived from the Civil Law—whether an Ecclesiastical law should not be enforced because it comes into contact with the Civil Law. He has brought forward the strongest argument in favor of making this a canon. Suppose the Civil Law compelled a clergyman to perform the marriage. Then let that clergyman resist the law and be punished, and in that way you will most thoroughly enforce the law of the Church. That is what John the Baptist did when the necessity came up for rebuking Herod. He did it, and paid the penalty by being put into prison; and that is the strongest attestation which he could make to the truth. I want to see clergymen stand up and do the truth, and by being punished proclaim the truth to the world.

THE PRESIDENT :—Is there any law anywhere in the world compelling a clergyman to perform the rites of marriage?

A DEPUTY :—With becoming diffidence I must venture to beg that more consideration shall be given to the matter before the Convention enact a canon upon it. Circumstances of duty have within the last few years compelled clergymen of our Church to investigate this matter strictly and carefully in the Scriptures, and many of them are convinced that neither the provisions of a canon nor even the expression of an opinion on the part of the House of Bishops comes up to the standard laid down in the Gospel upon this matter. Many of them are satisfied that according to the Scripture there are but two classes of marriage to be considered: one class which is vitiated by crime committed beforehand, and that is the only class in which divorce is proper, so that the parties divorced may be again married, and that all valid marriages are indissoluble. Therefore I would respectfully offer as an amendment:

*Resolved*, That the subject of message number — from the House of Bishops be referred for further consideration to a special committee of three clergymen and two legal gentlemen to report upon at the next General Convention.

A CLERICAL DEPUTY, from Virginia :—I hope this proceeding will not take the shape of a resolution but a well-defined canon. I suppose it can hardly be questioned that if passed in the shape of a concurrent resolution it can have nothing but an advisory influence upon the clergy, whereas if it is put in a canon it must have a regular and uniform effect—that there can be



any difficulty in enforcing a canon of the Church, I am not willing to believe. I would like here to say that my colleague and friend has brought us into precisely the right attitude. It is true, as he states, that before a minister can celebrate the rite of matrimony, he must procure a license, which license is his authority for performing that service; yet my friend will remember that when an application is made to the court, the first question asked is whether he is a minister in good standing of some body of Christians—authorized or set apart according to their own rites and ceremonies. No man can go forward and obtain a license to perform the ceremony unless he is such a minister. If we have a canon of regulation on the subject our ministers cannot apply in any other wise than as ministers of the Protestant Episcopal Church. So far, therefore, from there being any difficulty, if he refuse to conform to that he could not obtain the license. There is no difficulty in this case at all. I hope it will not be referred to a special committee to report hereafter. I hope that it will be referred to our own Committee on Canons and brought back to us ready for our action.

Mr. WELSH:—I hope there will be no reference. A resolution is passed merely to govern the present House; in a year it is a dead letter, whereas a canon is a permanent law; and the importance of this canon can hardly be overstated. It so happens that in one department of labor to which I have been called there is a special need of it. There is an especial need of it with reference to what obtains in England in certain districts, a sort of divorce or exchange of wives, which is about as frequent as in the West India plantations. They say in England that a divorce is expensive, and that these exchanges or divorces without legal proceedings have become a common thing. Those persons come to this country; and I know that the rectors of some of our parishes have been put in a position most uncomfortable to themselves. They go to one minister to be married and he refuses to marry them, and then they go to another who performs the ceremony. Now, with this canon they will all simply say that they are restrained by the law of the Church. They may go elsewhere, but all the moral power of the Church will be brought in the right direction. It will be a sad day in our country if we ever reach the point they have in some portions of Great Britain. The looseness of matrimonial ties is fearful, not only among the working classes but the upper classes. I think the Convention is prepared to act upon this question. In the House of Bishops it has been carefully thought over, and it has been thought over by nearly every member in this House; for there has been much written and said on the subject for a long time.

Mr. ————:—I am unwilling for a moment to occupy the time of the House if it were not simply to speak of a marked defect in this canon. The object of the canon is, I suppose, or the object of the Church,

would be to prevent the celebration of marriage between persons who have been divorced, only during the lifetime of both parties. In case one of the parties divorced should die, it seems to me that the other should be free to marry—that the objection would no longer exist. But this canon prohibits marriage of the surviving person.

Rev. Mr. HANCKEL:—Rather than not have a canon upon this subject, I would prefer a canon making the violation of the canon degradation to any minister, of any State, who should perform such a service. A gentleman has said that it might be accomplished by a resolution. But it should be remembered that no clergyman is liable to trial and punishment under a resolution. He is liable to presentment, and trial, and punishment for the violation of a canon. A gentleman on my left proposed to refer this matter to a special committee, because the minds of all men are not clear upon the special point, which point is, whether or not adultery does clearly sever, before God and man, the matrimonial tie, so as to allow the guiltless party to marry. I know there are differences of opinion upon that subject—differences which will always continue, and which no committee, no matter how long it may sit, will finally settle; but, upon the other great point before us, that divorce is a crime before God and man, a sin so great over this land as to bring down the direst judgments of Heaven upon us, I don't believe there is a clergyman who is not ready to vote upon it. I glory that I live in a State in which no case of divorce has ever occurred. And just at this time, when we are threatened with a change, I do implore from this Convention the unanimous passage of a canon prohibiting any clergyman of our Church from so soiling his robes, from so demeaning his office, through the fear of man, as to unite, in matrimony, those whom he cannot unite in the name of the Holy Ghost. For God has said, whose voice is echoed by this Church, that those whom He has joined together no man may, nor no man can, no matter what may be the laws of man, put asunder.

Rev. Mr. WYATT:—It has been suggested as an objection to this canon that it makes one exception in its action, and that exception is supposed to be made on the warrant of Holy Scripture. It is believed by many who have carefully examined that Holy Scripture, that it does not afford that warrant, and that a strict translation of it will show that only in those cases in which the marriage is vitiated beforehand should divorces be allowed. It is to make the matter stronger that it is proposed to refer it to a committee.

Mr. ————:—I am perfectly aware that such differences of opinion exist, but I do not think we ought to complicate this canon by entering into that question. We can pass it in the present form in which it has come down from the House of Bishops.

JUDGE COMSTOCK, of Western New York:—Divorces are granted in all the States, unless it be in the State

of South Carolina, for the cause assigned in this canon. But there is something else about that canon, in reference to which I am not quite sure that I understand its import. I have no hesitancy in saying that the last part of that canon ought to be adopted. Its purpose is very clear, that the guilty party who has been divorced is not to be married again by a clergyman of this Church. That is a principle of law and morality which may be well proclaimed by the Church and in a canon, instead of a resolution. In regard to the first part, which prohibits a clergyman from re-uniting, in marriage, persons who have been once married, but have been divorced from one another—that presents a point which this canon does not provide for. If parties have been once married and are divorced, and the injured party condones the offence, and they are willing to be united again, I think the canon should not prohibit it.

Rev. Dr. GOODWIN:—It seems to me it is an entire mistake that there is a prohibition of re-marrying; for the first part of the canon says “who have been divorced for any other cause than for adultery.” Here is a party who has been divorced from some other party for some other cause than adultery. He or she cannot be married to a third party. But if he or she has been divorced on the ground of adultery, then they cannot be married. But he or she that has been divorced on account of his or her own adultery cannot be re-married. I have greater difficulty than this; it is what is defined to be “divorce a *vinculo matrimonii* formally decreed by a civil court.” What is a civil court? In many of our States divorces are granted in a bundle by the legislatures of State. Is that a civil court, or not? Is it meant to include legislatures which may grant divorces, as in Indiana, I believe, and I do not know but it may be in all our States? I know it has been the custom to grant divorces upon petition made to the legislatures. It should be relieved entirely of this difficulty, if it be the case in any of our States that the divorce is granted upon petition to the legislature. How is the clergyman to know whether the divorce was for adultery or not, where the petition stated several grounds for a divorce? Before this canon can be complied with, the clergyman must know, by a legal decision of the civil court, strictly applied to that precise clause, that divorce was decreed on the ground of adultery. Now, it seems to me, there would be a difficulty here, in some cases. I think in some of our States, still, these frequent divorces are from acts of the legislature. I have often said, as often as I have had the opportunity, and am glad to be confirmed in the conviction that I was right in saying it, I honor the State of South Carolina, with all my heart, for the peculiar and glorious distinction of a divorce having never been granted in that State. I believe it is a distinction placing her above all the other States of this Union. No man could be more earnestly decided than I am, that what is aimed at in this canon is right and desirable. Our Saviour *does not require a*

divorce for the cause of adultery, and it would be vastly better, perhaps, for all parties to understand that the marriage is absolutely indissoluble.

Mr. —————:—If I understand the case before the House now, it is a motion to refer to a committee. I am one of those sharing the scruples of the Deputy from California, as to the warrant for a divorce, even for adultery. I desire to have that scruple answered by a vote by this Convention; at the same time, I feel that the Convention should not adjourn without taking some step to check this great evil. I move to strike out the words “other than for adultery.”

Mr. —————:—I beg leave to move the reference of this question to the Committee on Canons, and, at the same time, the recommitment of their own canon, that they may compare the two, and make a report. No man is more in favor of the canon which will stop this unholy and abominable practice of procuring divorces than I am.

Mr. TAYLOR, of Virginia:—I will embrace, in my motion, not only the recommitment of the canons, but also the various amendments, and with the instructions that the Committee report on Monday.

Mr. McCRAVY, of South Carolina:—I am opposed to committing, and am opposed to a reference to a special committee to report to the next Convention. We cannot constitute a committee for the next Convention. The question is, why should we refer this matter to the next Convention? We have here the action of the Bishops. The question is now upon the recommitment. Here you have the action of our own Committee on Canons, and you have the action of the House of Bishops. Suppose, now, that the report of our Committee on Canons had been before us at this time. We would naturally put that aside to take up this. Instead of sending to the House of Bishops for their concurrence, we would concur in this, and the thing would be settled. Therefore it is wise to act upon this canon, instead of recommitting, and bringing in another canon, which must, after adoption by us, be sent to the House of Bishops for their concurrence. I will take the opportunity to say what I think will be the difference between a resolution and a canon. My colleague, the reverend gentleman who spoke for my diocese, has sufficiently expressed it, that is, a resolution is merely an expression of opinion, and a canon is a law. But why, then, did I prefer a resolution in the case of dioceses who wished to unite in council? We have an object, now, in making a law which no man can break, and we need a canon. When you wanted to permit the council, there was only wanted an expression of opinion that that was lawful. They would have stood upon better ground than now, for if there had been a resolution declaring here that they had the power, that would have been irreversible. Now they have taken it by canon, and we can repeal that whenever we please. Therefore I thought it better for the dioceses to have a



resolution; they could then only be reached by a judicial decision; but now they hold the privilege at the beck of this body.

Hon. S. B. RUGGLES:—Does the gentleman think that the resolution of 1808 is binding upon us, declaring these marriages contrary to the law of God?

Mr. McCrady:—Yes Sir; I think so. We have the authority to repeal that; but that produced no government; it was the expression of opinion of that body; but it is no law; and you cannot charge a clergyman with a breach of the resolution; but you make a canon and you can charge him; because it is an offence for him to violate the canon. That resolution is a good thing to refer to, to show that as far back as that, the same opinion was entertained, but they had not the courage to make a law. But now we are stronger; and we have felt the necessity of a law on the subject; and we are prepared to say, not only is it our opinion, but “we will put the law upon you and you will have to obey it or suffer.” I have said nothing upon the main question, because the question is simply upon the reference and the difference between a resolution and a canon.

Mr. ———:—The gentleman from South Carolina says that we could at once act upon the report of the Committee on Canons from our own House. I would ask to have it read; if it is free from objection, and the House has made up its mind, I hope we shall proceed to vote upon it at once. The suggestion of the gentleman from California is in reply to an entirely different question, and may be brought before the House upon another resolution, and which should not embarrass this inquiry before us at this time, and certainly should not put off this question after we have had these arguments from all sides of the House. The objection made by the learned deputy from Western New York was a good objection to the canon as proposed by the House of Bishops. It however may be easily amended and brought in on Monday; but if our own canon is free from objection we would save time by passing it and sending it up to the House of Bishops. The object of the House is to save time in legislating upon this subject, when the whole House has made up its mind.

The Rev. Dr. MAHAN:—[With reference to the motion to commit an inquiry as to the Scriptural grounds of divorce.] Would it be in any way desirable even if lawful and in conformity with the customs of this House to commit to any committee a theological question on which the wisest men in the Church differ. It is an interpretation of the Scripture which no committee could satisfactorily settle.

Mr. LABAGH:—I hope this subject will be recommit-  
ted, or that it will be committed to a joint committee of both Houses, to look at it in its length and breadth, in all its bearing upon our civil rights, upon our social rights and relations, and upon our religious relations and privileges. This is a subject of larger scope than many

imagine. The ground proposed to be taken by the Church is that no divorce can be lawful except upon the ground of adultery. The State has decided that there are several grounds of divorce; one is incompetency; another is abandonment; and I hold that the Scriptures do teach that there are more grounds of divorce than simply adultery. The Scotch Church interpret this passage in the First Epistle to the Corinthians as justifying divorce on the ground of abandonment—it says, “But and if she depart, let her remain unmarried, or be reconciled to *her* husband; and let not the husband put away *his* wife. But to the rest speak I, not the Lord: If any brother hath a wife that believeth not, and she be pleased to dwell with him, let him not put her away. And the woman which hath a husband that believeth not, and if he be pleased to dwell with her, let her not leave him. For the unbelieving husband is sanctified by the wife and the unbelieving wife is sanctified by the husband: else were your children unclean; but now are they holy. But if the unbelieving depart, let him depart. A brother or sister is not under bondage in such cases;” but the Scotch Church interprets that “in bonds” to be the law of marriage. Now what is marriage? Both in the civil and religious aspect it is a contract. We derive our law of marriage from the State as well as from the Holy Scripture. The State regards the marriage as a contract, and regards the clergyman officiating as a civil officer for the time being to perfect a contract entered into between two parties; and the State reserves to itself always the right to supervise that contract; it places that upon the same basis as all contracts. If the contract is violated by one party the State has a right to decide whether the other party is free. The Church also puts it upon the ground of a contract. The clergyman says, will you do so and so, or will you promise so and so to each party. Here are stipulations, agreements, entered into.

Does the violation of these agreements work any forfeiture except in one case? There are four things promised, four things which the clergyman requires each party to agree to—love and affection, duty and protection, adherence to each other, support on the part of the husband to the wife, obedience on the part of the wife to the husband. Another is fidelity to the marital relation. Now you say the violation of only one of these promises is required to produce divorce; there can be no justification of divorce if the other three are violated—if a man abandons his wife, refuses to give her support, or treats her unkindly, the law interposes, and says, the contract is violated and the other party is not held by it. Here are serious difficulties that we perhaps may incur in the passage of a canon of this general kind. The clergyman as a civil officer has his rights in the community. Parties present themselves before him who have been divorced on the ground of abandonment, and the law has supervised the whole subject and says that the violation of

the contract on the part of the one has wrought forfeiture and declares the other party free and the clergyman has a right to marry him or her to another person. Are you going to take away the rights of a clergyman in this case? Has the Church a right to say when the word of God seems to justify divorce on other grounds than that of adultery, when the Church makes several stipulations, and all the stipulations are violated but one—has the Church a right to say that the divorce is not right when the State has supervised the matter and that one party is free. What was the condition of things under the Law? I suppose St. Paul in the Epistle to the Corinthians partly alludes to that. Under the Law, if a woman said to her husband, come let us go and serve other gods, he should not spare her and she should be stoned to death. Here is an enticement to forsake religion presented as a ground of divorce.

Mr. JOHNSON, of Connecticut:—I rise simply for the purpose of opposing any delay in the decision of this question. I am here under the instruction of my diocese to press upon this Convention action upon the subject before us. My State is one of those guilty of that which gentlemen charge against us. This matter of divorce is sapping the very foundations of society. We have in our State no less than ten per cent. of divorces in proportion to marriages. The effect of our divorce laws are perfectly horrible. The matter was brought especially to the attention of the Bishop of Connecticut by an incident under his own eye. There was a man who had raised a family of daughters. He was divorced in one of the Western States, and came home and was soon re-married under the laws of the State, not however by a clergyman of the Episcopal Church. A second family of daughters were the result of that marriage. These daughters being well grown, the father again disappeared occasionally from his place of business, and presently it was announced to his second wife that he was divorced in one of the Western States. The inducement in the last case, as in nine cases out of ten, was the changing of the partner. Put a stop to re-marriages and you put a stop to divorces. The cause of the application for the second divorce, was that a lady, to whom this gentleman had made overtures in early life, had become a wealthy widow. She was foolish enough to listen to his addresses even while he was bound by the second marriage, so far as there can be any force in a marriage founded upon fraudulent divorces obtained without notice, and entirely deceptive. But still, married as he was, the rich widow consented. The second divorce was obtained; *but*, when it came to the knowledge of the friends of the second wife, she consulted her friends, and the legal opinion was at once given that the divorce was a fraud. The notice is given to the new lady-love that she could marry if she pleased, but her husband would soon be put in the State-prison for bigamy. Now in this state of things we wish to prepare public sentiment; and we are sent to get from this

Convention the announcement of a sound doctrine of marriage and divorce, that we may bring the power of the Church, and the public sentiment generally, to bear upon our Legislature. I trust that this Convention will pardon me when we say that we have a deal of pride in the movement that is now taking place in Connecticut in favor of better legislation upon this subject. The lead comes from Yale College, from the Congregationalists of Connecticut, from the Puritan element whose variation from sound principle and sound practices has from stage to stage led to this awful state of things, and which is now recoiling from the evil it has produced. The leader of the movement is Prof. Loomis of Yale College, who started it by an article in the *New-Englander*, which has been followed up by other articles, the last one appearing in the *New-Englander* since we have assembled, from the President of Yale College; and the President of Yale College has brought this thing before the Legislature; and he has been examined before a committee. They need our assistance; and by the combined power of Congregational unity, and the Episcopal unity, an influence can be brought to bear upon that Legislature which will at once revise the law. I urge this Convention to act upon this thing promptly. We have several propositions here. We do not need here any disquisition upon the law or the religion of the divorce and marriage. We want no dissertation to be produced for the next Convention; we want immediate action. The canon we have from the House of Bishops covers the question entirely for all practical purposes; so does the one reported by the committee. All we require is the sentence of condemnation of re-marriages after divorces for causes less than adultery. I am willing to go further than that. I have amendments that I could propose, but *cui bono*? You have the substantial thing in denouncing re-marriages after divorces. I do not care whether it is in the canon whether the parties be alive, for if the party be dead there is no breach of the moral law. There is no difference in this Convention upon principle. I have had some experience in judging of the opinion of the Convention in advance of the vote; and I should say that this Convention is ready for immediate action upon the main question that there should be no marriage after divorce.

Hon. S. B. RUGGLES:—I beg to state that I know of one fact which I think will lead us to immediate action. A man, if I may so call him, married a woman who became epileptic. He applied to the court and was divorced for that reason. He was married the second time and the poor epileptic assisted at the marriage as brides maid. He was married by a clergyman of this Church.

Mr. ——— said that that man and his two wives as communicants have forced this on a clergyman of the Church for want of such a canon as this House is determined to put through. I know the case referred to in all its unutterable abomination.



Rev. Mr. MARTIN:—In the office of the court near where I live there were thirty divorce cases on the docket. I was informed by the clerk of the county court that he had frequently seen this to be the case, that after the judge on the bench had declared the decree of divorce, the woman would rise up and would be followed by a man; she would go down stairs, procure a license, and in twenty minutes be married to that man. In one case he told me of, it had been done twice by the same woman. I appeal to this House to give to clergy there, something upon which they can depend. We are anxious for some protection. There are but thirty of us in that large diocese and we are constrained by the fear of public opinion in many respects to keep silence. I have never married a divorced person, and I will not do it; but there are some perhaps who have not so much moral courage, who want this canon to fall back upon.

Mr. ———:—We are all desirous of passing the canon, but I propose to move to lay the whole matter, reported from the House of Bishops on the table; because it permits divorces by the legislatures of the State *a vinculo matrimonii* for adultery and excludes them from the operation of the canon. That is a single objection and there are three or four other objections as presented by the bishops.

I move to lay that upon the table with all the amendments that we may take up the report from the committee which is unexceptionable except on one point and that is the great exception which they will remedy by a canon on Monday. It says that persons who have been divorced for adultery may marry, even the guilty parties. There is no prohibition in the report of our Committee on Canons as to marrying parties who have been guilty of adultery.

On motion of the Rev. Dr. Haight, the message from the House of Bishops, on the subject of the divorce, and the report of the Committee on Canons were referred with all the amendments to the Committee on Canons to consider and report on Monday morning.

Mr. HENRY MEIGS, of New Jersey—offered the following resolution, which was adopted:

*Resolved*, That certain documents placed in the hands of Rev. Dr. Abercrombie of New Jersey, by the heirs of late Rev. Dr. H. M. Mason, typographical corrector of the standard Bible, be referred to the joint committee to examine the proof-sheets of the Standard Bible.

On motion of Rev. Dr. Haight, the house then proceeded to the consideration of the proposed canon in reference to the offences of ministers.

Hon. S. B. RUGGLES:—Does the catalogue of offences specify all the offences for which a clergyman may be tried? [Rev. Dr. Haight:—Yes, sir.] Does the catalogue include the offence (held to be an offence in England) of the marriage of a brother's wife?

Rev. Dr. HAIGHT:—Unless it is a violation of a canon or constitution, no. There is nothing on that subject

in the present canon. The simple object of this amendment is to make this canon in regard to presbyters harmonize with that in the trial of bishops.

Rev. Mr. MARPLE.—I desire to say a few words in regard to this proposed amendment of the canon. On first listening to the reading of it, it seemed to me the fairest thing in the world that a priest should be made responsible for the various offences that a bishop is made responsible for; and yet, as I came to think about the matter a little further, I completely changed my mind, and thought that this was one of the most oppressive canons that I ever heard read. There is protection for the bishop, while there is no protection for the priest. We do prescribe certain modes in the case of the trial of a bishop, and we protect that bishop, especially when he is charged with holding and teaching any doctrine contrary to the doctrines entertained by this Church. What is required in the case of a bishop? Nothing less than that the presentation against him, in case of a false doctrine, shall be made by a brother bishop; that the court shall consist of the entire House of Bishops; that three-fourths are absolutely requisite for a quorum, and that a vote of two-thirds of the whole number entitled to seats in the House of Bishops must be requisite for conviction. I say that the bishop is protected, and that there is scarcely any protection in the case of the priest. He is not required to be tried by the whole of the priests of his diocese, but by a court constituted according to the provisions in every diocese. I say that the priest may be oppressed. I believe the introduction and adoption of this canon would be one of the best modes of introducing trouble, grievous trouble, and divisions into our Church. We do not need to make ecclesiastical trials as easy as possible; we do not wish to multiply them in all parts of our land. I regard this canon as most serious in its provisions. I have been glad to follow the Committee on Canons in almost all their recommendations, and have felt that they were most moderate and wise in their suggestions. I cannot but think that in this case they have made a most serious mistake. I understand that it does introduce something or other that is new for which a clergyman may be tried, suspended, and degraded. They are the same things for which a bishop may be tried, suspended, and degraded; but the bishop is under such guards as are not at all found in the case of a presbyter. I would like to ask the gentleman whether I am correct.

Rev. Dr. HAIGHT.—I suppose the section to which my friend from Pennsylvania alludes is the second of the specified acts. I supposed all along that the clergymen of this Church could not be allowed to go on and teach publicly and privately doctrines opposed to the doctrines of this Church, and yet not be brought to trial. I had no idea that our discipline was so loose as that.

Rev. Mr. MARPLE.—I only oppose the introduction of undue power—the introduction of means whereby any one can be oppressed.

Rev. Dr. HAIGHT.—If I understand the views of the reverend brother, they are opposed to the use of this language embraced in Specification No. 2, that is, that a clergyman may be tried for holding and teaching any doctrine contrary to that held by the Protestant Episcopal Church in the United States. I suppose that, in most of our dioceses, when a clergyman is tried he is tried by his peers, just as the bishop is tried by his peers. In the diocese to which I have the honor to belong the presbyter is tried by five of his peers chosen by himself. I suppose that will give a man the fairest possible chance. There is only one difficulty in the way, which I suppose every clergyman in the Church feels most deeply—that we have no court of appeals—and therefore a man has but one chance. But that is the law, and we must abide by it. I see no harm in saying that the Church holds a man bound to teach the doctrines of the Church, and that if he does not he shall be brought to trial and punished. I would like to point out to my brother from Pennsylvania that by the present canon a clergyman is liable to be tried for holding and teaching any doctrine contrary to the doctrines held by the Church. In the present case clergymen may be tried for heresy. What is the standard for heresy? That is one of the most difficult subjects in the world to speak of. Some divines refer you to one standard and some to others; some talk about four General Councils, some about six, and some about none at all. That is stricken out, and here you have these definite statements of things for which a presbyter may be tried.

Mr. MARPLE:—That is why I object; heresy is a much stronger word. There are many people who do not cherish the views I entertain; and if I were in certain dioceses they would say my doctrines were contrary to those of the Church. I may have the view of Bishop Hobart that baptismal regeneration is an outward change or a change of relations. There are many dioceses where that would be regarded as contrary to the doctrines of the Church.

Rev. Dr. HAIGHT:—I thought that was held everywhere.

Hon. S. B. RUGGLES:—Heresy has been defined by statute as the publicly teaching of doctrines contrary to the teachings of the Holy Church. I think the word “public” is in the statute. Therefore, this canon omits that word “public teaching.” The protection of a clergyman is that for private acts of teaching he cannot be punished, while for public acts he may.

A DEPUTY:—What is the difficulty of the present canon?

Rev. Dr. HAIGHT:—Its want of definiteness and explicitness, and its use of certain vague terms. There are repetitions in the canon which are entirely unnecessary, and an omission of the violation of ordination vow. “Disorderly conduct;” that is a very vague phrase. Some look at it as relating to the Church and others look at it as relating to personal conduct. It is a

vague and indefinite term. Then it goes on to say<sup>4</sup> for drunkenness, for profane swearing, etc., as though these were not embraced by “disorderly conduct.”

Mr. ———:—The terms of this canon seem not to be remarkably lucid. I do submit we ought to have something exceedingly clear and definite. The Church ought to guard with peculiar tenderness and care the reputation of clergymen. Directing the canons of the Church against the reputation of clergymen, is a serious thing and while I am thoroughly prepared to stand up under the canon I would like to know when the canons are being cast that they are wisely cast.

Rev. Dr. HAIGHT:—When we refer to doctrines of the Church we refer to something known; not to 39 articles only but also, and primarily, to the liturgy, and offices. The objection my brother makes against the language of the proposed amendment lies much more strongly against the present canon, which renders him liable to be tried for inculcating heretical doctrine.

Mr. J. J. PRINGLE SMITH, of South Carolina:—If I understand the report of the Committee on Canons, it does not touch or change the mode of trial or any proceedings under a presentment, when it comes to trial; it is merely a question of choice between two things already in print. Canon 9, Title 2d, mentions the offences for which a minister may be tried. It is merely a choice of phraseology. I think the Convention is ready to vote at once. I press upon the House the immediate choice between the phraseology of two canons. The amendment is nothing more than a mere enumeration of offences for which a presbyter may be tried; and the Committee on Canons thought it advisable to conform that phraseology to the enumeration of offences for which a Bishop may be tried.

A motion to print the proposed amendment was lost.

The question then recurred upon the adoption of the resolution of the committee.

Mr. S. B. CHURCHILL, of Kentucky:—In this case, the Committee on Canons have not shown to my mind any necessity for changing the old law. The last gentleman said it was merely a change in phraseology. I think the amendment may lead to some trouble; and as the old canon has operated well, and as no complaints have ever been made of it, I think we should hold to the language as we have it now. I therefore move to lay the proposed canon upon the table.

The motion to lay it upon the table was agreed to.

The question then recurred upon the passage of the canon.

Rev. Dr. GOODWIN:—Here is the same enumeration of offences in the case of a clergyman, or priest, or deacon as in the case of a Bishop. The mode of trial is different. That has some bearing upon the question. If the Bishop is tried for holding or teaching any thing contrary to the doctrine of the Protestant Episcopal Church, he is tried by his peers, by the whole House of Bishops, and their decision must be understood to be



what is the doctrine of the Church. But when a priest is presented for a violation of that second head that is, presented for holding or teaching privately as well as publicly, anything contrary to the doctrine of the Protestant Episcopal Church, he is tried by a court in his own diocese. We have no decision of the Church as to what is the doctrine of the Protestant Episcopal Church. That same clergyman being taught by that court what is the doctrine, may go into another diocese and teach and hold precisely that doctrine; and for holding and teaching that, he may in that other diocese be tried by a court of five Presbyters and be found guilty. This opens the way to have all sorts of adjudicated determinations upon the doctrines of the Protestant Episcopal Church in the United States. We are told—"O, the court of appeals will remedy all this." I am not in favor of bringing in a court of appeals by a side-wind. I am not so in favor of altering our canons that we must have a court of appeals. As to the heretical doctrine, it is a very different thing. A court of five Presbyters could hardly undertake to declare that to be heretical, the contrary to which would be declared heretical in another diocese. They might determine that it was contrary to the doctrine of the Church. I think "heretical" goes deeper. I do not think every man a heretic who holds and teaches any little thing contrary to the doctrines of this Protestant Episcopal Church. But I suppose the thing is settled. I only want to show more fully what my colleague has mentioned in bringing up this question. Here we may have various courts and various decisions.

Rev. Dr. MASON:—When the canon as it now exists, was up, it was objected to on the ground of introducing the expression "heretical teaching," for the reason that we are not able to determine what heretical doctrine is. Suppose a clergyman preaches a doctrine which is contrary to the doctrine of the atonement, are you going to call that "heretical doctrine" or not? It is a serious aberration from our Church doctrine; but how are you going to determine it is heretical? By the creeds of the Church—the Nicene Creed or the Apostles' Creed? It can only be done by interpretation; and I see no possible way in which to determine what is heretical, unless you go back to the first four or the first six General Councils; and if you do that, you might determine it. But here a clergyman may preach against the atonement. I do not see how we can make him out as preaching heretical doctrine. I mean by what process shall we point it out, so that you can call it heresy. There are various modes in which that doctrine of the atonement may be stated; either of which might be adopted, and you might not be able to show that it was heretical. Whereas if you say that if he preaches contrary to the doctrine of the Church, you decide that matter at once. He is to be tried by the Articles, the Creed and the Liturgy—the doctrines of the Protestant Episcopal Church. And

that is the only way by which I can see that he can possibly be tried.

With regard to the trial of a clergyman, I do not see that this canon makes any alterations. Therefore, whatever has been said against the manner in which a clergyman is to be tried, is not against the canon as reported, but it is against the old canon. After that if you please in that respect, and that is another matter. Until we can determine how we are to fasten upon what is heretical doctrine, we must necessarily accept this alteration in the canon.

The question being then upon the canon, it was adopted.

The President announced the committee on the support of the clergy, consisting of one from each diocese.

The House then adjourned to Monday morning at half-past nine.

#### SEVENTEENTH DAY'S PROCEEDINGS.

MONDAY, Oct. 26, 1868.

Morning Prayer was said by Rev. Dr. Peterkin of Virginia, and Rev. Dr. Isaac G. Hubbard, of New Hampshire. The Benediction was pronounced by Bishop Talbot, of Indiana.

The journal of yesterday's proceedings was read and approved.

On motion of Rev. Dr. BEARDSLEY, message No. 34, from the House of Bishops, was referred to the Committee on Canons.

On motion of Mr. C. B. FARNSWORTH, of Rhode Island, there was referred to the Committee on Canons a resolution instructing that Committee to consider and report whether it is not for the interest of this Church that parish records should be annually made up, and the number returned to the Diocesan Convention, of all persons baptized in this Church, or of persons in communion with this Church but who have not been confirmed, and also of all confirmed members of the Church who reside within the parish limits.

On motion of Rev. Mr. CLARKE, of Georgia, there was referred to the Committee on Canons, instructions to consider and report to this Convention on the subject of striking out the words "clerical and lay" from the title of this House so that it shall be known hereafter as the House of Deputies. He said: I find in article III that when the House is referred to it is referred to simply as the House of Deputies. It seems to me unnecessary that the words "clerical and lay" should be repeated over and over again to describe this House when there is but one House of Deputies.

On motion of Mr. WELSH there was referred to the Committee on Canons instruction to consider and report upon the propriety of making a canon rendering it obligatory upon all new Dioceses to form their standing committees of an equal number of clergymen and lay members.

There were received from the House of Bishops messages, thirty-three to thirty-six, inclusive.

On motion of Rev. Dr. STUBBS, these messages were referred to the Committee on Canons.

On motion of Hon. S. B. RUGGLES, his resolution of yesterday in regard to the number of journals to be printed was reconsidered; and the resolution by Mr. Cornwall, of Kentucky, authorizing the Secretary of the House to have printed an adequate number was adopted.

Message No. 37 from the House of Bishops transmitted the following resolution:

*Resolved*, That the memorial of the Oneida Indians presented to this House by the Bishop of Wisconsin, together with their draft of the proposed letter to the Secretary of the Interior, be transmitted to the House of Clerical and Lay Deputies with the request of this House for their joint action in the premises.

The Petition and Memorial of the Oneidas and the proposed letter to the Secretary of the Interior were read by the Secretary.

Judge OTIS, of Illinois, moved that the proposed letter to the Secretary of the Interior be signed by the President and Secretary on behalf of this House.

There were received message No. 38 from the House of Bishops relating to the subject of evangelization; message No. 39 with reference to continuing the joint committee on the republication of the early journals; message No. 40 signifying non-concurrence in the canon proposed by the House of Deputies concerning Assistant Bishops; message No. 41 signifying concurrence in the action of this House in relation to assessment for contingent expenses of the General Convention; message No. 42 signifying concurrence with the second resolution transmitted in message No. 20 with an amendment by substituting "regulated" for the words "provided for," which amendment was concurred in by the House.

Mr. W. WELSH, of Pennsylvania, moved to refer the message of the House of Bishops with reference to the Oneida Indians to a special committee, consisting of the delegates from Wisconsin.

Hon. S. B. RUGGLES—I have no objection to this motion, but the question with me is whether this Convention shall undertake to interfere with the policy of the general government.

Mr. WELSH—I moved its reference to the delegates from Wisconsin because I think it would be a bad precedent if we were to sign things upon the recommendation of others. If we should do so, we would sink to the level of mere politicians, who even sign things that they know are wrong and untruthful.

Judge OTIS—These Indians have been under the jurisdiction of Bishop Kemper for thirty years; he has signed the Memorial.

Rev. Dr. STUBBS thought that it was not decorous to refer a message from the House of Bishops to the Deputies from any State.

The PRESIDENT suggested that the motion is to refer to the Deputies as a special committee.

Rev. Dr. DEKOVEN—In the Diocese of Wisconsin there is a settlement of Oneida Indians that have been under the charge of the Church. I feel certain that they have been greatly oppressed and troubled by cer-

tain things which have tended to take away their lands. They have not been fairly treated. These Indians have been presided over by the Bishop of Wisconsin, who knows all the facts and particulars. I simply say that to refer this matter to any delegation whatever is useless. It has the fullest indorsement of all the delegation. The Indians are earnest and faithful people. I have heard the Bishop tell of the visitations he has made to the Indians and of their earnestness and faithfulness in the cause of the Church.

Mr. WELSH—Has the gentleman examined those papers?

Rev. Dr. DEKOVEN—Is it necessary that I should add my approval to the words and exhortations of the oldest Bishop in this Church? If Bishop Kemper sends down to this House such a thing, I don't believe my words will add anything at all in the opinion of this House.

Judge BATTLE—It is said that hard cases are the quicksands of the law, and they may be the quicksands of this Convention. I recollect that in 1859 a memorial was made memorializing the King of Spain. It was rejected upon the ground that this Convention had nothing to do with any political question. If we set out to redress all the grievances of Indians, blacks, and of all oppressed people, we shall acquire the character of the celebrated Don Quixote, setting out to redress everybody's injuries. We should pause before we set a dangerous precedent. If we apply to the Government for this purpose, on some other occasion we shall go further. Let us confine ourselves to the business of the Church, to its extension; that will be enough for the action of this Convention. I do beg the members of this Convention to pause though it is a hard case. I call upon them to pause before such a system shall lead us we know not where.

Rev. Dr. MEAD—As the learned Deputy from North Carolina has said, we have heretofore acted with great prudence in relation to matters which have reference to the action of civil governments. And although all my sympathies are in favor of this, though I cannot express the feeling of my heart at the oppression of the poor Indian, and though, after hearing the letter of the Oneidas read, having followed them from time to time until they had acquired a home on the borders of Lake Michigan, I would if I could consistently, say at once, let us sustain this petition of the Bishops, but prudence is an important word in a body like this. We are opposed to the blending of Church and State. We begin by asking the State to grant certain things; howbeit, this may be reasonable, the question is where will it end? Suppose after a time the Government of the United States should apply to us to do something, to transact some business which would be foreign to, or ultimately injurious to, our ecclesiastical economy. They would plead at once, you have done the same thing; you have initiated this step. Although at first my whole mind went with the proposition, as a prudent man I cannot vote for it.

Mr. J. PRINGLE SMITH—The subject before the Convention is one of no ordinary import, and for that



reason I shall venture to say a word or two upon the proposition. I should be sorry to see this Convention interfere in any way with merely and purely political questions. I think, if I am not mistaken, something may be done upon this subject now before us without subjecting ourselves to this difficulty or this charge. Our relations with the Indians generally is one of very great interest, not only to this body as a religious body, but to the civil authorities of the country, and one which excites in the civil authorities a very deep interest, at least those of them who are not connected with the attempted speculations that are in their purpose intended to defraud. We have no very settled Indian policy. The theory of our Government is that the nation is the guardian of all the Indian tribes. And I think I may say the theory of this Convention is that we are or ought to be in some measure the guardian of their morals and their spiritual condition. Whatever we can do in connection with this last thought as a religious body, without directly coming in contact with political questions, it seems to me is our duty. The whole difficulty growing out of this subject results from the fact that the Indians are not informed, and that they are the creatures upon whom speculators prey. Covetous men seek to defraud them; and the government should be glad for any suggestion that we may make that will aid them in preventing these frauds and speculations. I desire to say to this Convention now or to give them a fact in connection with this idea. Not long since a treaty was made with the Osage Indians, by which they sold eight million acres of land to a single railroad company for the sum of sixteen hundred thousand dollars,—about twenty cents per acre. It is understood that that land is worth to-day from three to five dollars an acre. Now, under the policy and practice of our government, before this contract of sale can be confirmed and made perfect, it is to receive the sanction or ratification of the Senate. It is now before that body with differences of opinion in regard to the question of its confirmation of those outside of that body, as interest may create that opinion. Every body who knows anything about it, knows that the contract was made to defraud the Indians. Everybody knows that the land was sold for vastly less than it was worth, and as a fact, as the Convention ought to know, the sale was made without security for the sum to be paid: for all the security that they received is the bonds of the railroad company, payable in sixteen years, a hundred thousand dollars a year, without any endorsements, any mortgage, any security. Now, it is impossible that we can evangelize the Indians or carry Christianity among them, while they are the subjects of our cupidity, the cupidity of those that seek to impose upon them. The government has no desire that these frauds should be practiced, and the government has the desire that those Indians, those tribes shall receive the gospel—that it shall be spread among them as fast as it may be; and the government will be glad of any moral sentiment or moral movement, or Christian movement which we or anybody can make that will tend to save the Indians from these efforts to destroy them. If they are to submit

to changes of location, which such impositions constantly require, we cannot expect to obtain their confidence, nor with any good hope go and preach to them the gospel. If I understand the proposition before this House this morning, it is in reference to the Oneida Indians. I do not know the particulars of the case; but I see as well as I can understand from an indistinct hearing of the matter, that they have been subjected to the same fraud that I have alluded to in reference to the Osages; and I have instances in my mind embracing similar principles. They come now and pray us to help them against the consummation of this fraud. Is there any politics in that? It involves no party question. It is making no difference of opinion between this party or that party. It is standing up for God's right and God's justice to a nation or a class of people whom it is the duty of humanity to protect. I do not see that by expressing an opinion, such as the House of Bishops have expressed, we are in any way attempting to reform all the abuses of the world, as some gentleman has said. We do not propose to go out of the United States nor beyond that class of people that are within our borders, whom it is our duty to protect. We do not propose any general crusade for promulgating our religion; but we simply say to this tribe, we will give you our moral aid to assist you against frauds and impositions. As I understand this proposition, I should be very glad to see this Convention take a wider view of this matter; and I think they could do that without coming into conflict with any party, or being subject to the charge of interfering in politics. I think it would be our right to look to this whole question, connected as it is with the spread of the gospel and the carrying of intelligence, and improvement, moral as well as spiritual among a class of inhabitants whom it is our duty to raise up, not to beat down, but to lift up with all the power of civilization that we can command. This in no way brings us, as I understand it, into conflict with any party in politics, or any department of the government; for I feel sure that any moral movement that would give a healthy tendency to public sentiment, and help restrain these constant efforts to defraud these Indians would be regarded with favor by the authorities of the general government. I hope this resolution will pass. I hope the whole subject will be considered, and a respectful memorial presented to the government, looking to the best means of preserving the morals of the Indians, of educating them, and of carrying the gospel among them. I ask pardon of the Convention for detaining them as long as I have; but I feel that there is so much involved in this question, that it has deserved the few brief moments I have given it.

REV. DR. DEKOVEN—These Oneida Indians were settled in New York. They were converted to the Church before the Revolutionary war. A portion of them moved to Wisconsin in 1829 or thereabouts, and the rest have been gradually following them, until now about twelve hundred Indians are there settled on some sixty-five thousand acres of land in Wisconsin. Of these twelve hundred Indians two-thirds are Church

people under the charge of a faithful and earnest missionary church. Now the trouble is simply this. Their land is very good; it is good timber land; it is land they have improved; and the speculators have got their eyes upon it. So they take a few drunken Indians and put them up to make an agitation in favor of its being sold. And so every six months this little community of Christian Indians is agitated with the feeling and the trouble of being removed from their country. They have objections to it. The first is that it will break up their Christian civilization. The second difficulty is this, that the elder persons among them, though Christians, are not fully civilized; and the more thoughtful Indians know full well that if these men get the money for their lands and move west, they will spend their money and that will be the end of it. It will be the destruction of their civilization and Christianity for this people to be removed at this time. They, therefore, send a prayer to this House to present to the Secretary of the Interior that they may be left in their possessions. This prayer comes here; the House of Bishops endorse it; they send it down to us to adopt. I cannot see that this is a political matter. I should not be in favor of mingling in any political matter, but I cannot see how anybody can conceive that this presenting a prayer in behalf of those that belong to their own household of faith can be distorted into a political action. It is simply presenting a petition in behalf of those who are our own brethren that they may be saved from the destruction and loss of the civilization and Christianity which they have.

Rev. Dr. HAIGT in the Chair.

The PRESIDENT addressed the House as follows: Having taken some little part in 1859 in trying to prevent the passage by this House and the General Convention, of one of the most innocent resolutions that could possibly be imagined. I beg to re-state, in reference to this case, the principles upon which the House deliberately acted. Nothing could have been more simple and more innocent and just than the proposition which was then brought before this House. But the House decided by an *overwhelming* vote that it would not entertain any question whatever which required its coming before the civil authorities in regard to any question of the discretion of those authorities. The principle established then by the action of this House was *obsta principiis*—don't begin. The influence of the members of this House as citizens is ten times stronger, if they would exert it, than the influence of this House as a House. The Episcopal Church is nothing as to political influence in this country. It is an absolute *nihil*; but the influence of the members of this House exercised in their respective communities as citizens can be made to tell powerfully upon the Government. And if you would here or elsewhere originate proceedings to operate upon the Government, not merely to preserve the rights of the Oneidas, but as was recommended by the Bishop of Minnesota, to change the whole policy of the Government in regard to treating the Indians as a nation, and

to have them treated as individuals, especially upon the reservations, you would do a glorious thing for the cause of humanity in this country in reference to those oppressed tribes; but it is not necessary that it should be a party question in order to be a political one. No party is formed in the State with reference to this question, but still it is a political matter; it is a matter referring itself to the discretion of the civil government; and if we commence as a Christian body, as a Church, to ask the Government to adopt a particular policy in regard to this question, why not ask them to adopt a particular policy in regard to any other questions that may arise? Why not throw ourselves, as a Church, into the whirling stream of political actions? You cannot draw the lines; once begin, you have established the precedent—a precedent which, as it has been the great detriment of so many religious bodies, may terribly convulse and injure even our own. I should be glad to sign this letter and something far more extensive, far more thorough, as a citizen of the United States having a vote; but I should be very reluctant to sign that as President of this House.

Mr. WELSH—I rise to vary my motion. The delegates from Wisconsin naturally have some diffidence in examining the subject, and, therefore, move that it be referred to a special committee of three clerical and lay members to consider and report. What do we know of the thing? This subject was considered at Richmond, and I believe that it touched every one that was present. But we should carefully first see whether the facts stated there are such as we can testify to—whether we believe that it is really a subject that we think important—then whether we are prepared to vary from our practice and petition the Government with the particular knowledge that some other religious body may petition in the opposite way, with the knowledge that a ward politician can go into Congress and exert more influence than this entire Convention. My proposition results from no want of interest in the Indians, it is made because I feel the deepest interest in them and am willing to do all that I can, that I ask that the matter be referred in this way.

Gov. FISHER—It strikes me that there is no occasion of the reference of this subject to a committee. The object of a committee would be to investigate the facts, which I presume are pretty well known to us, and report upon them. The object of a committee would not be to advise as to the policy or course to be pursued by this Convention. The question other than that of reference is of concurrence. Now, Sir, if any persons on this floor are more especially than others called upon for sympathy with these Oneida Indians, I presume they are the delegates from New York; possibly I should except those from Wisconsin who have taken them from us. They are children of New York. We have still in our borders a branch of these Oneida Indians. It has been my lot to be brought officially into contact with them, and I can say from the bottom of my heart that I sympathize with them over all their wrongs, and and they are many. But, Sir, are these wrongs of a



character which a Convention of a Church is called upon to take notice of? I apprehend not. We are satisfied that two-thirds of this tribe are Christians and belong to our Church; but one third not so. We are told that there is a division and that the question which they desire our aid in solving is one of internal policy—one of the sale of their lands and their removal. It is not a question of Christian benediction among them; it is not one of propagation or extension of our own Church among them; it is a question of property; it is a question of internal Indian politics. Now it strikes me that that is a question in which this Church as a body should not interfere. It has been the policy and the wisdom of this Church in the past to abstain from the first step in the direction of those questions which address themselves strongly to the sympathies or sentiments of the Indians. Remembering the course of this Convention in the past, we see the wisdom of that policy. We have seen a *quasi* political question which addressed itself strongly to the sympathies, rending asunder every denomination of Christians in this country, because they allowed themselves on a question of sentiment and sympathy to interfere and express an opinion. This Church entertaining among its individual members sentiments quite as strong and deep as those which divided other Churches held that it was not in the province of the Church to express opinions other than those relating to the great questions committed to it, as the legislators of a Christian Church. And although the course of strife really for a time kept the members of this Church from coming together, yet the Church was united, and the moment the physical force was removed we have come together and are seated here as thirty years ago. Now this question of Indian policy is only in its earliest stage. We know not what questions are to arise affecting this small remnant of the former owners of the whole of these lands. They have been gradually wasted, and concentrated in the West. There arises a new and difficult question for the Government to deal with. Whatever may be our sympathies—sympathies are the worst aid and suggestors of legislation. I think it would be better to act as individuals not as a body. Let us not commit this Convention to any expression of opinion on the subject as to whether these Indians should or should not sell their lands. Leave it to the Government to decide that, and, as our worthy President has just said, individuals can bring a stronger influence to bear than can the collective voice of this body. If we speak in any one direction we shall have other bodies speaking in an opposite direction. There are strong interests at work to bring about this thing which we deprecate. Instead of referring this thing to a committee I should prefer, with all deference, to move a non-concurrence. I do not wish to exhibit, or that this House should exhibit, any want of deference to a member of the House, still less that this House should exhibit any want of sympathy with these poor Indians; but there is that one grand principle which I think this House should not lose sight of, that of abstaining from all questions outside of its own policy, its own interest, its own growth. If this motion should be disposed of,

and the committee refused, I move that this House may respectfully non-concur with the action of the House of Bishops.

Rev. Dr. STUBBS, of New Jersey:—I have almost thought it would be a sin for any clergyman to keep silence on a subject like this. I think the gentleman who has just taken his seat has misstated the question. He has said that the question is one of property and civil right. I deny it; it is not the language brought before us by the Indians. The petition of those poor Indians is that they are likely to be deprived of their common Christianity—to have their chaplain driven from them. They do not say anything about the title to their lands; they plead to us to save them from being driven back again to heathenism. They say that their agents wish to deprive them of their religious privileges, of their Christian privileges. Now, is that a matter of politics—a thing unworthy of this convention? I deny the statement made by that gentleman as well as by one on the other side, that this is a question of mere property. It is one that makes an appeal to our hearts, to prevent these poor Indians from relapsing into heathenism by being deprived of the privileges of Christianity, by having their religious teacher driven from them. If there is any question worthy of this House to entertain, it is that question. Reference was made to the action of the last General Convention. Is this Convention infallible? Does it feel, because we have pursued a course at one time, that we should pursue it again? I do not know what action was referred to, and I do not care; because if any action was taken by it unworthy of a Christian body, we ought now to abjure it. The gentleman says, *obsta principiis*, I say so too. I say at this time, in the name of all that is sacred, oppose any principle which will hinder you from doing an act of common humanity. It would be a shame, as I conceive, that these poor creatures coming to us and begging us as Christian men and brethren to save them from being deprived of their Christian rights and privileges, and by the deprivation of which they may not only be excluded from the Church of God but from Heaven above—I say it would be a shame for us to stand by and to refuse to intercede for them, and to put it on the ground that we are afraid of meddling with the politics of the country. God forbid that we should refuse to interfere with such politics. We should use all our power to protect the innocent, or save any wretched community from being oppressed. Our venerable Chairman has said that we may act as citizens, and not as a Council. He says that this Council is unknown to the government, and that is a mere negation. I thought this Council was more important than that. I believe the attention of this whole country is at this time directed more or less to this very Council. I believe we are exercising a great influence, not only in this Church but in this country, by the measures we take here. I say that this Council would have great influence in this country and with this government, if it would intercede in behalf of humanity and religion. I say for us to refuse a petition of that kind would put us before this government as a council which refused to do its Christian duty, and absolutely rejected the peti-

tions of these poor creatures that come at our doors and beg us in the name of mercy to save them from the wretchedness to which they are exposed.

Let me refer you to some instances of the past, which I think are of more consequence to us than the action of the last General Convention. We are all familiar with the noble conduct of that great archbishop of Milan, who, because the emperor stood aloof and allowed citizens to be destroyed, did not hesitate to cut him off from the communion of the Church; nor was he allowed with blood on his hands to enter its sacred precincts; and he did that at greater peril than we are likely to suffer—at the peril of all he held on earth most dear, as well as life itself. Yet he did not refuse or stand still for fear he would interfere with the privileges or powers of the Emperor, or lest the Church should be placed in the position of meddling with the politics of the country. Let us follow that noble example, whether it be as bishops, clergymen or laymen, or as a Council of the Church. I say that this Council does not take away our individuality; it concentrates it. If we plead as one man, we none the less plead as men met together in the council of the Church of God. I am surprised, I am *astonished*, after all we have heard here of the grievances of these people, I am surprised when we know the strong sympathy which has been expressed in their behalf, and how the heart of the whole House of Bishops sympathizes with them as they come to us with the simple desire that we would concur with them to petition the government or one of the officers simply, in behalf of extending to this people the offices of religion by which they are to be made happy here and saved hereafter—I am surprised that we should refuse to aid them on the ground that we have done wrong heretofore, and are afraid forsooth of getting blame for meddling with the politics of the country.

MR. JOINSON of Connecticut:—My friend from Pennsylvania has proposed an order of reference. My friend from New York proposes to non-concur. [Gov. FISH:—I have not made such a motion.] I rise simply for the purpose of offering a resolution which announces the general principle which has governed this Convention. The resolution is this:

*Resolved*, That this Convention sympathizes strongly with the Oneidas in their troubles, and fear and apprehensions; but it is the policy as well as the principle of this Convention not to interfere in any matters of civil government, affecting the civil interests of the State.

I do not propose to debate the matter; for the whole argument is already made. It announces a principle which I presume pervades this assembly.

HON. S. B. RUGGLES:—I wish merely to state what has been the policy of this Convention. I was in the Convention in 1859. A question was then proposed of a petition to the government of Spain to allow Christian burial to the members of our own Church dying in the island of Cuba. I thought that was a harmless proposition; but that question was postponed upon the motion, I think of Mr. THOMAS, of Virginia; and other members showed the impolicy of allowing the interference of the Church even in diplomatic matters.

Rev. Dr. PETERKIN:—This is a grave, an important

subject, and I do not pretend to say that I feel in my heart the very deep interest which I know in my conscience I ought to feel. We owe a very great debt to the Indians of every name and of every kind. And sometimes when I meet them, as I did here at the Missions, I feel somewhat as William Wirt said he did when he met an Indian; that he was disposed to bow down and apologise to him for the wrongs done him by his forefathers. The cry may be in many parts of this country, "exterminate them;" and under the progress of relentless civilization they may possibly be exterminated; but as has been said, whatever may become of them, their names are on our waters—we may not wash them out: and while ever we have a Narraganset or an Ohio, or while ever the Mississippi rolls his deep volume to the gulf, we can never forget that they were the original owners of all this soil, and that we owe to them a debt we cannot pay unless by the most persevering, earnest, long continued efforts to bring them into the fold of the one shepherd, Jesus Christ. We owe them this as a matter of debt; and it becomes us to do all we can in order to meet our obligations. But as I understand it, the present question relates to one single tribe, and if I have heard correctly, that is composed of twelve hundred persons; and of those twelve hundred, eight hundred are already considered to be in connection with our Church. It may be presumed that the eight hundred are opposed to the alienation of their lands. May not this eight hundred outvote, and if you please outwit the four hundred who may, from improper influences being brought to bear upon them, be disposed to allow this alienation of their lands; or, if upon those four hundred some of the eloquence which we have heard here to-day in their behalf were exerted, might they not be persuaded that their best interests were bound up with the interests of the majority, and they should peacefully resist every effort made to send them away from those homes, around which I suppose many dear associations cluster. I would say in regard to these Oneidas, I presume we are specially indebted to them; for I read here from an old number of the *Spirit Missions*, where a quotation is made concerning Indian policy by Henry R. Schoolcraft, with regard to these Oneidas.

[The speaker here read an extract showing that the patriots of 1775 awarded to the aboriginal tribes the full proprietary right to the soil they respectively occupied; that was the first step in the political exaltation of the Indians, and dated from the treaties of Fort Pitt, 1778, and Fort Stanwix, 1784.]

The latter was as early after the establishment of our independence as these tribes could be brought to listen to terms of peace. The Six Nations, with the exception of the Oneidas, sided with the parent country; the Oneidas sided with the colonies. According to this we may in part owe to them some of the blessings we now enjoy. It may be affirmed that there is not an acre of the public domain in the United States that has not been acquired in this manner. War in which we and they have been frequently involved since that time, has conveyed no territorial right, we having conquered them in the field not to acquire territory, but to place



them in a position to observe how much more their interests would be promoted by the plow than by the sword. The idea I wish to impress upon this House is that these Oneidas are specially deserving our care and protection; but inasmuch as their body is a comparatively small one, and local influence sufficiently powerful may be brought to bear upon the government, it may not be expedient for this body as such, as the representatives of the Protestant Episcopal Church, to take action in the matter.

Message No. 43 from the House of Bishops was here received, signifying non-concurrence in the amendments proposed by the House to the fourth article of the Constitution of the Board of Missions.

Message No. 44 gave notice of the adoption of a resolution for the appointment of a joint committee to consider the present state of theological education in this Church and the means for its facilitation and improvement, and to report thereon at the next General Convention, and also to confer with the Bishops upon the subject of a course of studies.

Message No. 45 transmitted a concurrent resolution for adjournment *sine die* on Thursday next, the 29th inst.

Gov. FISH offered the following resolution:

*Resolved*, That this House respectfully non-concurs with the House of Bishops in the message respecting the Oneida Indians, for the reason that while it feels the deepest sympathies in the trials and sufferings of those Indians, it is of the opinion that it is unwise and against the policy of this Convention and the interest of the Church that the Convention of the Church should in its official representative capacity interfere with questions of policy confided to the control of the State.

Rev. Dr. ANDREWS—The question before us is simply this. The Oneida Indians and many other parties are the prey of rogues, and their Christian civilization is incidentally involved, and the same is true of many other parties—they are the prey of rogues and their Christian civilization is likewise involved. The question is whether this Convention ought to interfere in such cases. I am prepared to vote in the negative. I second the resolution of the gentleman from New York.

Rev. Mr. BANISTER—If I understand the petition aright, there is one clause, which, it seems to me, takes this whole question from the political sphere. It is the statement that those agents are attempting to drive from among them their missionaries; and this proposed action would be nothing more than the simple exercise of the right of petition in regard to matters coming strictly in our purview, bringing the whole moral force of the Convention to bear upon the side of right and justice. There is a great danger which the gentleman on the other side of the house has pointed out. I would be the last person in the world to vote for a measure of interference in political matters. But there is something to be said on the other hand. We ought not to hold our arms in calm indifference in reference to the present condition of members of our own Church. I speak, not with the hope of changing the opinions of other people, but simply to do my duty, and indorse

what my brother from New Jersey has so usefully and ably said.

The Rev. Dr. HAIGHT (In the chair,) put the question upon a motion to commit: which after a division, was lost by 41 ayes to 88 noes. The question then recurred upon a resolution offered by Gov. Fish, as above given.

Judge BATTLE:—Whether these Indians should be removed or remain there,—is not that the policy of the government, one way or the other? And when we write a letter to the Secretary of the Interior, is it not meddling with politics? The learned clerical member from New Jersey goes so far as to say that we ought to disregard what has been done by the previous Convention, and mix up ourselves with the politics of the day. That is the extent to which his argument goes—that we should depart from that conservative course which has led our Church together on from one success to another, until its influence overspreads the whole land. Why does it do so? Because it cautiously abstains from interference in any matter of politics. Suppose the proposition was to write to the Secretary of the Interior, or to any other secretary, in relation to the colored people of the South, would not that at once be considered a matter of policy? And what is the difference between the colored people of the South, and the Indians? but a little difference in the color of the skin. We have arrived at a crisis; it is one of the most important questions that has come before the Convention. If we go on as we have done, we may expect to prosper, and our Church extend through the whole land, and its influence in a few years be better than the influence of any other Church in this country; but if we take another course, and depart from that which has heretofore led us to peace, prosperity and happiness, and interfere with the politics of the day, what will be the consequence? The speeches I have heard this morning show what will be the consequence; we shall have political debates in this Convention.

Upon the suggestion of Mr. McCRAIDY, of South Carolina, Gov. FISH substituted "inexpedient" for the word "unwise" in his resolution.

Rev. Dr. MAHAN:—I desire merely to say I cannot detect the slightest shade of politics so called in that letter; and I request it to be read merely for the guidance of my own vote, as I would vote against the introduction of politics in a Convention of this kind; but I cannot see the slightest suspicion of anything of that sort. It seems to me it is always in the power of an inferior to ask a superior to protect another inferior. It is simply a request made, a perfectly lawful request, which may be either refused or acceded to. And especially would I deprecate the reason that is given for not acceding to this request, that a thing of this kind is interference. Now the strongest word that should be used, if any word is used at all, would be *intervention*. I cannot see even intervention. I do not think it is interference to ask one in a simple and polite way to protect somebody else. If there were any person whom I had it in my power to protect, and anybody would ask me to protect him, I would not consider it the least

interference in the world. I deprecate sincerely from the bottom of my heart every shade of interference or meddling with political things. Yet I do think that there is a rational limit even to a principle of this kind; and we are bound as rational men to distinguish between interference and what is not. While there is danger of the Church interfering, there is danger also from fear of this, that the fear itself will become servile, and degrading to the Church as a spiritual body, having the great interests of God and man in charge. I think there is danger of excessive timidity. I do not know of anything that is more perilous to a spiritual body or to a spiritual man than to be afraid of things that are not worthy to inspire fear.

Mr. WELSH:—We are not here as individuals at all. We are here merely as the representatives of the diocesan Conventions; and if there are any of these Conventions that are averse to meddling in politics in any way, we would do wrong by assenting to this proposed action.

Judge CONYNGHAM:—The letter brings before this House the question of policy not only in this particular case, but in fact it may be said to apply to every case of the removal of Indians. It is a question which gives rise to debate and dispute. It is very clearly a question of policy.

The vote was then taken upon the resolution offered by Gov. FISH, and it was adopted.

The Rev. Dr. HUBBARD from the Committee on the Prayer Book respecting a proposed table for daily prayer during the season of Lent, reported there was not time to engage in such a work, and offered a resolution that the subject of the resolution be submitted to the judgment of the Joint Committee on the Prayer Book, to report if they think proper such a table of lessons to the next General Convention.

With reference to the resolution of the Rev. Dr. MASON proposing certain changes in the language of the metrical psalms and hymns, the Committee recommended that the resolution be referred to some Committee, to report on the expediency of these and similar changes to the next Convention.

The Committee also noticed a communication from the Rev. Dr. BARNARD, of Columbia College, on the subject of the cycle of the Church, and recommended the reference of the communication to the Joint Committee on the Prayer Book.

On motion, all the recommendations of the Committee were adopted.

Gov. FISH submitted the report of the trustees of the funds for the relief of orphans and widows of deceased clergymen; no returns were received from an earnest appeal issued in 1859, for various reasons: and the Committee asked to be discharged, and recommended the charter obtained to be deposited with the Registrar of the Convention. Agreed to.

On motion of Rev. Dr. LITTLEJOHN, the House concurred in the resolution communicated from the House of Bishops in Message No. 44.

The question of concurrence with a concurrent resolution from the House of Bishops to adjourn on

Thursday next being under consideration, after some colloquy, the subject was laid on the table.

On motion of Rev. Dr. LITTLEJOHN, a Committee of Conference was asked for with reference to Message No. 43 from the House of Bishops, signifying non-concurrence in the first amendment to the 4th article of the Constitution of the Board of Missions.

Rev. Mr. MOORE offered a resolution of reference [adopted,] to the Joint Committee on the Prayer Book, to report at the next General Convention respecting the expediency of providing a form of thanksgiving for the recovery of a child from illness. He said, "My reason for offering this is, that in the occasional prayers of the Church, there are two for the recovery of a sick person one for the recovery of an adult, and another for the recovery of a child. If we examine the structure of the prayer for a child, we will find it cannot be used in the case of an infant, because it supposes that the person on whose behalf the thanksgiving is offered is in the Church himself making the offering. I have been called on myself to offer prayers when parents were, grateful for the restoration of their offspring whom they have supposed near death, and I have felt embarrassed not to find any occasional prayers for such a case."

On motion of Rev. Dr. HUBBARD, the following resolution was adopted.

*Resolved*, That the Joint Committee on the Prayer Book be instructed to inquire into the expediency of introducing into the standard Prayer Book of this Church, the pointing of the psalter for chanting as in the standard Prayer Book of the Church of England, and report upon the same to the next General Convention

The object he said, is to afford facility to the practice of chanting, which is a growing want of the Church.

Rev. Dr. MASON moved that the resolutions which he had submitted, and which had been laid upon the table, be taken from the table and referred to the Joint Committee on the Prayer Book, one relating to the introduction of the word "holy" into the Nicene Creed, and the other to punctuation.

Hon. S. B. RUGGLES:—I offered a motion to the same effect, on the subject of the translation of the Nicene Creed, which I hope will be referred to the Committee on the Prayer Book.

Rev. Dr. GOODWIN—inquired if by the terms of Mr. Ruggles's resolution, the committee were not authorized to print.

Hon. S. B. RUGGLES—said that whatever was to that effect he would withdraw.

Rev. Dr. MEAD:—That committee has nothing to do but to give us a prayer book according to the standard edition; and has nothing to do with inserting the word "holy" or any other word. If the House choose to appoint a committee on a new standard, very well.

Rev. Dr. HUBBARD:—we have already referred to that committee the printing of the Psalter, and also the restoration of the words left out by error.

THE PRESIDENT:—The resolutions of reference this morning have all mistaken the character of the commit-



tee. It was merely a committee to prepare a standard edition as adopted in 1844. There ought to be a committee to consider the various resolutions of change which have been proposed.

Rev. Dr. HAIGHT:—The committee are simply authorized, after having examined the plates, if they find that certain typographical errors have been corrected to let those corrections stand, and to correct any other typographical errors which they may decide to be simply typographical errors: their business is to give a correct edition of the book as authorized in 1844. Besides this, the Convention has seen proper to instruct them to consider, and report to the next Convention, the expediency or in expediency of adopting certain other minor additions. I think it would be perfectly competent for them to consider these other questions; but they can do nothing with the present standard.

A motion to reconsider the several resolutions referred to the Committee on the Standard Prayer Book was lost.

Rev. Dr. Mason's resolutions were then referred to that committee.

Mr. CORNWALL—offered a proposed canon relating to consecration of churches, which upon his motion was laid on the table.

Rev. Dr. PIERCE, of Alabama:—I presented several days ago a preamble and resolution in regard to appointing a committee to consider whether congregations worshipping in other than the English tongue in this country might not be allowed to use the liturgies to which they are accustomed in their native country, or such modifications of them as the Church might deem wise, and this committee to report to the next Convention. After this matter had been introduced, the adjournment interfered with any action on it. I wish to bring that subject up again. I would state if I am allowed, what my design is. There are German congregations in this country, and they are obliged to use our present translation into German of the Prayer Book, which is no more our Prayer Book than any other book is. I say it is not our Prayer Book, because it has not the spirit, the devotional character of our Prayer Book. It is translated into German, but in the newspaper German of the day. Every German scholar, and especially every native German that I have talked with, has spoken in this way about it. I have never known a man who was officiating to Germans that was able to use that translation as it stands; and without giving a free translation instead of the literal translation it will be impossible to adapt it to the use of Germans. Many passages in the Standard edition of the Bible or in the Lutheran version, which are introduced into the liturgy cannot be introduced properly because the translation given in the Lutheran Bible does not coincide; and if the meaning is not entirely different, it has a shade of a meaning different. And so in regard to the Swedes. Suppose there is a restoration of unity between us and the

Swedish Church. We have an English congregation in Stockholm; would we not consider it very hard that the Swedish Church should require us to throw aside that liturgy which is endeared to every Englishman, and Churchman in the United States—the very language which is associated with a thousand recollections of the past—to throw aside that, and to adopt a newspaper translation perhaps of the Swedish liturgy. Now in that case every Churchman would say, let us use the liturgy of our forefathers—that which we have been accustomed to.

Let us refer it to a committee to consider whether it would not be reasonable, wise, and charitable, to allow this thing. Then, again, there is the Great Eastern question. Suppose there should be a restoration of intercommunion between this Church and the Greek Church. Shall we insist on the Greek Church throwing away their liturgy, which comes down from Apostolic days, and adopt a modern Greek translation of the English liturgy? I am certain that if gentlemen will consider this important matter, if they will just place themselves in the position which these persons hold—which the German, the Swede, and any foreigner would hold, they will be in favor of this reference. Let me add another thing. We are obliged to adopt this principle in part now. Although our Prayer Book is translated into German, yet the psalms and hymns are not translated; and therefore any congregation worshipping in German is obliged to resort to the Lutheran collection of hymns, or they can have no hymnody in the Church. We have already admitted the principle in part; but the proposition is not, whether we will admit it or not. That is not what I ask,—but will it appoint a judicial committee of three Bishops, three presbyters, and three laymen to consider this matter, for three years, and after that is done, if it is decided that the use might be permitted, every liturgy would have to pass the examination of a competent committee to see whether or not it is in accordance with our standards. I think there is no danger in this, and that there is no harm in considering a question which is important, and becoming a practical question if there is to be an extension of intercommunion of the American Church with other branches of the Church Catholic. My resolution is as follows:

*Resolved*, the House of Bishops concurring, That a committee of three from each order be appointed to consider whether it would not be reasonable, wise, and charitable, to allow congregations worshipping in other tongues than the English to use the liturgic forms to which they have been accustomed in their native lands or such adaptations of the same as may be consistent with the doctrines and worship of this Church, and to report to the next General Convention.

Mr. —: I would suggest the propriety of referring that to the Committee on the Prayer Book in the German tongue. I admit the importance of this matter, having ministered among the Germans; and having

taken a great deal of interest in their behalf, I have found, after conversing with them, that they have great objections to the use of our Prayer Book in its present form. I am informed that an admirable translation of our Prayer Book was made by Professor Falk, of Racine College; but I regret to say that it has been lost.

On motion of Rev. Dr. Goodwin, and with the consent of Rev. Dr. Pierce, Dr. Pierce's resolution was referred to the Committee on the Prayer Book in the German language.

Rev. Dr. ADAMS:—I have a question which I should like to bring before this House. I will say, in the first place, that it is not a question with regard to bringing up a new version of the Nicene Creed. It is a question that has been considered with regard to the omission of the word "holy." We have the same version as the English Church. The English Church has omitted the word "holy." In the definition of the Holy Catholic Church the original Western version says: "I believe in one holy catholic and apostolic Church." That is the version of the West—of the Roman obedience everywhere, in Italy and France. In the Prayer Book version the English Church has started away from the Western version of the Nicene Creed by omitting the word "holy." I have heard a good many gentlemen anxious to restore this. I, myself, do not think we have authority to restore it, unless we can understand that the English Church is willing to restore it.

The point of order was raised that there was no question before the House and that therefore Rev. Dr. Adams was out of order.

Rev. Dr. ADAMS:—I will say that I think—[The question of order was again raised.] I am going to read the resolution, and this Convention will please to attend to it. [Laughter.]

*Resolved*, the House of Bishops concurring, That the General Convention of the Church in the United States would respectfully solicit from the Upper and Lower Houses of Convocation in the English Church information as to the time and occasion when the word "Holy" was omitted in the Prayer Book version of the Nicene Creed; by what authority it was done, and what reason—doctrinal or practical,—lies at the bottom of this action.

And in order that this be done with due respect to our venerable mother, the Church of England, that the Presiding Bishop of the House of Bishops, the Chairman of this House (Dr. Craik of Kentucky), with the senior clerical member of the same (Dr. Mead of Connecticut), together with the Hon. Hamilton Fish of New York, and William Welsh, Esq., of Philadelphia, be a committee to make this inquiry in the interval and report to the next General Convention.

I suppose I am now permitted to say something. [A voice:—The resolution has not been seconded. A Deputy:—I second it.] They say we shall not touch this Western version of the creed in any way until our mother Church of England touches it. I therefore bring this resolution forward that we may apply to the

highest legislative authority of the Church of England for information concerning the matter.

A motion to lay the resolution on the table was lost by a dividing vote.

A DEPUTY:—The omission occurs in one of the Latin translations; and there are three other variations between the two Latin versions. The one to which he (Rev. Dr. Adams) has referred deviates from the Greek in some parts. The other Latin translation deviates from the Greek in other parts; and consequently they differ between themselves. Now the question arises, which one of these Latin versions shall be taken as authority. At this juncture, we are seeking under this resolution to depart from the Greek; so that really we seem to be at sea with regard to the very creed of the Church. It does seem to me, that these questions of variations in translations while the substance is retained, would keep us in interminable debate. Now, I submit, after having used this Nicene Creed ever since we have been a Church in the country, receiving it in its present form from the Church of England, whether at this stage of the history of the Church we are for approximating either the Latin or the Greek Church. All the variations should be referred to the same committee.

Rev. Dr. ADAMS:—I would say that the resolution is not in regard to the Greek at all; it is in reference to the standard version of the English Church, and to inquire why that word "holy" has been omitted from the translation.

A DEPUTY—remarked that the word "holy" is omitted from the Greek as used in the liturgy of St. Mark. It may be derived from that.

Rev. Dr. PIERCE—said that the English Church was considering this matter, and that the Church in the United States had the same right to consider it as the English Church.

On motion of Mr. Cornwall the resolution was referred to the Committee on the Prayer Book.

Rev. Dr. HAIGHT—moved that the Secretary in sending messages to the House of Bishops should specify, and desire the Secretary of the House of Bishops to correspondingly specify the subjects of the messages. His suggestion in the form of a motion was adopted.

On motion of Rev. Dr. Haight, message No. 35, from the House of Bishops, was referred to the Committee on Christian Education.

Rev. Dr. LITTLEJOHN—suggested to Dr. Haight, that it would be well to specify the subject of the message.

Rev. Dr. HAIGHT—submitted the report of the Committee of Conference between the two Houses on article 5 of the Constitution, relative to the subject of a division of dioceses, with a resolution to transmit the same to the several dioceses. The committee transferred the restrictions which the House had proposed to put in a canon to the article of the constitution, making the difference between the constitution as now, and after the amendment, to consist in the addition of the words



originally proposed by the Committee on Canons with regard to the support of the bishop, and in the reduction of the number of parishes and presbyters so as to read "six parishes and six presbyters" instead of twelve parishes and twelve presbyters.

On motion of Rev. Dr. MEAD—the resolutions reported by the Committee of Conference were adopted, the vote being taken by dioceses and orders.

Rev. Dr. DE KOVEN:—With reference to message No. 35 from the House of Bishops reported that no action had been taken by the House of Bishops upon the subject of the first resolution, reported by the Committee on Christian Education, and adopted by this House, and transmitted to the House of Bishops.

On motion, the Secretary was authorized to inquire the reason of this oversight.

Rev. Dr. HAIGHT, from the Committee on Canons, reported back the canon contained in message number thirty-two, from the House of Bishops, on the subject of dioceses as follows:

That no minister of this Church shall solemnize matrimony in any case where there is a divorced wife or husband of either party still living, but this canon shall not be held to apply to the innocent party in a divorce for the cause of adultery or to parties once divorced seeking to be united again.

Rev. Dr. GOODWIN:—I find that I have been understood by the reporters [not by the reporter of *The Churchman*] and others as having maintained on the floor of this House that marriage should be indissoluble in any case whatever, even in the case of adultery. I only maintained that it might be expedient for the civil government to take that ground—that it might be to the happiness of all parties. I never intended to hold that the law required that it should be absolutely indissoluble. It was merely an expression of opinion as to the expediency of the civil government taking that ground. I have no objection to the canon now before the House. I never based any opinion upon any interpretation of Scripture that the marriage tie is absolutely indissoluble. Whether indissoluble or not, it is not required by our law that it should be dissolved in that case; therefore the question is free for any civil government to provide that it should be indissoluble if thought to be expedient.

Judge COMSTOCK:—The canon as reported does not provide for a divorce for a cause antecedent to marriage. I think that is indispensable. Every one knows that there are causes pre-existing which are fatal to the marriage contract. You may take the case where one of the parties is not of a suitable age to give consent; or take the case of a marriage procured by force or fraud. There are cases antecedent to marriage which are fatal to that relation. The canon as reported by the committee broadly forbids a clergyman to marry a party who is divorced for either of those causes. I am sure the Convention does not intend to do that. It seems to me that its failure to provide for the cases mentioned is fa-

tal to the canon without an amendment. I will suggest an amendment of the canon so that it shall read as follows:

No minister of this Church shall solemnize marriage in any case where a previous marriage of either party shall have been dissolved for cause arising subsequent thereto; provided that nothing herein shall apply to the innocent party in case of divorce for adultery, nor in any case where the prior marriage relation shall have terminated by the death of husband or wife.

I think that disposes of the difficulty I suggested, and embraces all the other points of the amendment.

Judge BATTLE:—I think the learned gentleman from New York has confounded together divorce and a nullity of marriage. If a married person marries a second time it is unnecessary that there should be a divorce; it is an absolute nullity. If a man marries a woman under a suitable age, it is no marriage at all. The only thing to be brought before the court is to determine whether the cause was sufficient for nullifying the marriage. The gentleman has confounded the two cases of the declaration of the nullity of marriage and a divorce. It seems to me that the canon as it now stands meets every case.

Judge COMSTOCK:—I know the law in my State recognizes decrees dissolving the marriage contract for causes antecedent to its declaration. There is at least an ambiguity in the canon which ought not to exist.

Rev. Mr. LABAGH:—I suggest an amendment in this form, to meet all the different cases that may arise throughout the country. The amendment is, "Resolved, That the Bishop and the standing Committee of each diocese constitute an ecclesiastical court, to examine all cases of remarriage of parties who have obtained divorces in the legal tribunals for causes other than that of adultery; and their decision shall govern in all cases submitted to them." I believe that there are three classes of causes for divorce, which I mentioned the other day, one for sin antecedent to marriage; the others, subsequent adultery and abandonment mentioned in the Epistle to the Corinthians. I will only present six or seven different cases, [Laughter], which are not fanciful cases, but which have actually arisen, in order to show what embarrassments there are.

Suppose the case of the marriage of a devout communicant, a lady—and I rise to make these remarks more particularly in behalf of that sex, that suffers most on account of divorces, for various causes. Our Legislatures claim the right to consider the marriage as a contract, and supervise that contract, and claim the right wherever the contract is wilfully violated by either party, to declare it a nullity. That is the law, and we are bound to submit to it. I will present some cases which may arise, in which the Legislature, without any hesitancy, gives a divorce. The first is excessive brutality. A devout communicant of the Church marries a man, and in less than a year's time, she finds that she has fallen into the hands of a wild beast; he is cruel to

the extreme; he beats her, threatens her life; but as long as there is no divorce he has a legal claim upon her, and can constantly annoy her. The only remedy, for her safety, is to apply for a divorce. In the course of time, this excellent, devout christian lady, proposes re-marriage, and she comes to her pastor and says, I purpose to re-marry. He says, you cannot; your husband is alive. She says I have a divorce; but he replies, the Church will not allow me to perform the rite; the only way you can marry is to cease your connection with your Church, and to be married by some other minister. I will give the case of mysterious absence. A woman is married; her husband goes out, and is never heard of again. The suspicion is foul play; that he has been murdered for his money. After waiting for years, she applies for a divorce. She goes to her pastor, and says she wishes to be married. He says, we have no certainty that your husband is dead, and under these circumstances you cannot re-marry. I will take another case—the case of perpetual imprisonment. A Christian lady marries a man who commits murder; he is tried for the murder, and through the power of money, and family influence, the sentence is imprisonment for life. That man has committed murder, not adultery, but she cannot re-marry, under this canon, by a clergyman of the Church, because her husband has committed murder, and is locked up for life. If he had only committed adultery she might marry. [Laughter]. I will take another case—beastly drunkenness. The civil courts have decided that this is a just cause for divorce—that a woman is not to continue subject to maltreatment by a man who makes himself beastly drunk, and does not provide for his family. A woman is not compelled to be tied to the leprous carcass of a beastly sot. The law sets her free, and the whole community justifies her; but the Church says no, and that she cannot marry again and continue in communion with the Church. Take another case—marriage under false pretences. I am not giving an imaginary case. The woman is married to a man under a false name. After a time the thing is discovered, and the woman, indignant at the imposition that has been practised upon her, applies and gets a divorce; but under this canon, she cannot be married again. Take another case. A man marries a lady of an excessively jealous disposition. [Laughter.] [The PRESIDENT:—The time is up.]

I am not through my remarks. I have not stated all the cases. [Laughter.] I was going to state this case.

Mr. J. PRINGLE SMITH:—I rise to give notice that I shall move to lay this amendment on the table and shall move to lay every proposition upon the table except such as go to perfect the canon offered by the committee. It is time for action by this Convention. If the standard of the Church is to be the standard of the Gospel, if she is still to be found faithful, unshaken, unseduced, unterrified, her standard must float above the world, its tribu-

nals, its false maxims, its honors, its delusions. In this matter there can be no compromise. The gentleman from Connecticut has told the House how much we need this canon at the North. I unite in telling how much it is needed at the South. We stand upon the brink of a precipice from which in these long years past we have been kept. I urge upon the House immediate action, unequivocal decisive action. If you lower the standard of the Church to meet the prejudices or the feelings of the world, you do that very thing for which the scoffing world is ever on the watch. I hope we shall not let the sun set upon our inaction. If ever the path of day seemed clear as the noonday sun it is to-day. Let the word be onward. The action of this body will not only affect those of its own commission but be felt everywhere throughout this broad land. Now if there be a lion in the path, even if there should be clashing with the civil authorities, it will not only be accepted but counted as all joy because suffering for that noblest of causes, the cause of God's truth.

Rev. Dr. MAHAN:—I don't know that it is necessary to state anything with regard to this canon as proposed except that it has been based simply upon the language of our Lord Jesus Christ Himself; and the single defence of this canon in its present state is that it is within that language. With regard to innumerable peculiar cases that arise under American laws, it is enough to say that this canon is merely meant as a directory for the minister of the Church, and pronouncing what the Church feels to be lawful marriage according to God's word. In every marriage ceremony we have to warn the parties that if they are joined together otherwise than God has enjoined, their marriage is not lawful; "The cause of adultery" is used as the language of our Lord Himself, and will of course, be understood by the clergy according to the sense of the passage from which it is taken. According to many the term adultery will include fornication; and there will perhaps be some difference of opinion as in every subject; but it will always be perfectly easy to know whether a divorce is for the cause of adultery or some other cause entirely distinct from it. It is thought that this will cover the case sufficient for all practical purposes. I know there is very good authority for the interpretation that our Lord meant to allow re-marriage in case of divorce for adultery. Therefore, as we cannot make a canon on mere private interpretation, we have to make it as perfect as we can. As a matter of Christian perfection and as a matter of God's law, in the highest sense of the word, I think the canon ought to be that no marriage can be performed in any case whatever where the husband or wife is still living.

The PRESIDENT:—The first question is on the amendment offered by the Deputy of Iowa—an amendment to the amendment offered by the gentleman from Western New York; to refer the whole matter to the Bishops of the Diocese and the Standing Committee.



A vote being taken upon the amendment to the amendment, was lost; when the question recurred upon the amendment offered by Judge Comstock. The amendment was lost.

Whereupon the vote was taken upon the canon as reported by the committee, and it was adopted.

Rev. JAMES A. HARROLD, of Florida—offered the following preamble and resolution:—

Whereas, The order for daily morning and evening prayer is obligatory and its due observance would tend to increase piety and devotion, and

Whereas, In the opinion of many, attendance at morning and evening prayer would be greatly promoted and encouraged by a shorter and more varied service,—

Resolved, That the House of Bishops be requested to propose and set forth for morning and evening prayer a short service formed after the primitive and ancient Liturgies which may be allowed for use on other days than Sunday, and also that the house of Bishops should reverse the Sectionary for the season of Lent.

Rev. Dr. HAIGHT:—I would like to inquire if this has not been acted upon. It was referred to the Committee on Canons and the Committee on Canons reported that it was inexpedient; and the committee were discharged.

The PRESIDENT:—You have no right to offer the resolution after it has been acted upon.

Rev. Dr. HARROLD:—I propose to offer it as an original resolution. A short time since I had very unexpectedly the honor to propose to the House a somewhat similar resolution on this subject. It was a subject that had occupied my mind and attention for some time; it is a necessity pressing upon me; but I had hoped to prefer my modest request under the lead of some other person in the House more competent than myself to introduce it. Therefore, I introduced it first by way of an amendment to a resolution offered by a gentleman from New York as to additional services. At the suggestion of the chairman I was compelled to assume the initiation by introducing a resolution which I did not intend or expect to; but having done so I felt that I owed it to myself and the House to state my reasons for doing so, and to ask this House that it shall not be tabled, but that it may go to the House of Bishops as a modest request for what I am sure all feel is desirable. It is supposed that we have passed most of the perils which have been alluded to in the legislation of the House. We have been constantly warned about the dangers and the perils before this House in its legislative action. Perhaps they have all passed away. The provincial system and some of the systems which were not passed have been laid to canonical repose. "Romanizing Germs" have not even sprouted, and the cries and moanings which have been for so long a time Tyng-Tynging in our ears have ceased and we may now be said to stand upon safe and secure ground; and I can therefore ask the House to second my request for an additional service. It was said when I first offered the resolution that it was an attempt to interfere with the

established order as laid down in the Prayer Book. I disclaim any such intention. I profess to be as conservative as any man in this House. I reverence that Prayer Book as much as any man can reverence it; and if I did not have a natural reverence for that order, my respect for the wisdom and the opinions of those who prepared it and who have sustained it would prevent me from intruding anything upon the attention of this House which would seem to set aside that order in any degree whatever. It has therefore nothing to do with the established order of the Prayer Book. I, with many others who, I hope, will support me in this movement, wish for relief. We feel the order of public prayer to be obligatory; we believe it will tend to piety and devotion in the membership if they would observe this more regularly; and we also feel that that attendance is not given as it ought to be and the causes are alluded to by many persons, complaint coming up constantly. There is scarcely a layman or clergyman in this House who has not heard this complaint and felt the force of the complaint against the present order, and who would not long for and desire some relief from an order which does to many seem to be oppressive and at times wearisome? Mr. Chairman, I know there is a great deal of conservatism in this body, and I pay deference and respect to it. It does not become a man of my age, and on the occasion of my first appearance on this floor, to attempt to set that aside or oppose it in any way; but I will say this, that if any of those gentlemen so bound up in conservatism would only undertake to carry out the service for morning prayer in the tropical regions where I live, the ice of his conservatism in our region would soon melt into the genial streams of progress. Is there any necessity for this? We all know how utterly impossible it is to command a full and regular attendance at morning prayer; and if I am to take the opinion of others in this matter, it is because men in the present age under the present social circumstances of life and business relations have not the time to devote to its observance. No man who undertakes the service at a fair speed can accomplish it in much less than three quarters of an hour; and men of the world cannot give the time to this observance; whereas if a shorter order was given them, they would spare the time—they would be arrested in their onward march from day to day to devote some few moments to prayer and praise in God's service. I have attended morning prayer in Trinity Church; I believe there are one or two churches in this city [a voice—eight or ten] where morning prayer is duly offered. On several occasions I have been there, and the only persons who were there were the reader, myself, and the sexton, while at the same time there were hundreds upon hundreds tired, weary, anxious spirits passing by that door and who have not the time nor inclination under the present circumstances to step into the House of God and offer up their devotions. Shall nothing be done even in the face of conservatism to try

and arrest this—to try to catch some portion of the multitude daily passing God's House? A short service of ten minutes would be sufficient. I contend that this request can be granted and received without any attempt to interfere with the established order. It is requiring the House of Bishops to do what the individual Bishops have been doing all the time—preparing prayers for special occasions.

Rev. Mr. CORBETT:—Mr. President, I do not believe any member of the Episcopal Church, clerical or lay, does too much praying. I move the resolution be laid upon the table. [Voices—"No," "no."]

The motion to lay upon the table was withdrawn.

Rev. Dr. PETERKIN, of Virginia:—I should like, though with a good deal of reluctance, to say something upon this resolution. In a few words, I wish to say that while I differ with my reverend brother, with great reluctance, I do not like the general strain of our legislation so much for the promotion of organic life of the Church, and leaving out of view the individual life. There must be individual life, as the Church is an aggregate of individuals; and I beg to call attention to the fact that there is some portion of our service which tends, greatly, to promote the individual life. It is, I fear, generally—I think I may express the fear, generally—certainly very largely, neglected by our Christian people. We have, in Virginia, and I suppose there may be found copies in all the other States, an order for family prayer, printed one hundred and thirty years ago, in the colony of Virginia. We have still the order for family prayer; and, with the exception of its leaving out the royal family in England, it is just that form of prayer we have adopted for use in our families. I believe that order of prayer was proposed by Bishop Gibson, London, some one hundred and fifty years ago; and he urged it upon his parishioners, at Lambeth, to use that prayer, steadily, at home, as he did not expect that they would go to church, day after day. Our forefathers printed that prayer, for our use, before there was a Prayer-Book adapted to the case; long before any General Convention—before any gathering together of our people in any such assembly as this. We must have individual life; and we, especially, who live in dioceses and territories where people are scattered abroad, must see to this one thing. Woe worth the day, if we omit, as so many of our communicants I fear, are omitting, these family devotions. If they be properly attended to, then we may hope that the individual life will be fostered. And the organic life of the Church will be such as it should be. By means of these family prayers, many families have kept alive a spirit of devotion; and, under the influence of such prayer, remote from church, and with very slender opportunities, in some cases, to go to church, yet, by the blessing of God, have been cultured such men as the one who presented the Report on Christian Education, the other day, and whose remarks were listened to with

so much attention by this House. We must see to this particularly; and I respectfully suggest that, if we are going to legislate further in this direction, certainly, some resolution might be becoming from this House, as a resolution of inquiry, whether the members of our Church live in the exercise of family worship, which must, after all, lie at the foundation of any true worship in our order—gathering together in the Lord's assemblage. Because I am unwilling to see the morning prayer abbreviated, unless according to Bishop Hobart's suggestion, I am compelled to vote against the resolution offered by my brother from Florida.

Rev. Dr. GOODWIN moved that the resolution be referred to the Committee on Prayer-Book.

Mr. ———:—It seems to me that we have no right to reach this question in this way. You have a Prayer-Book set forth by authority. All the changes in that Prayer-Book are to be made in a special way. Is it in the power of this House to adopt such changes as this, so radical in character, in this way? I think it will be contrary to the constitution of this Church to adopt that resolution. Here is a resolution requesting the House of Bishops to set forth a service that is to become the service of the Church, which will be an order set forth by the House of Bishops, and not as the constitution requires. Once begin this thing, and without the constitutional protection, all sorts of changes may be made in the service.

Rev. Dr. PIERCE:—I wish to make one remark that applies to all propositions to set forth shorter services: that it is very desirable that there should be more adaptability in the Prayer-Book. We should be able to make the service longer or shorter. It seems to me that if there were a page of general rubrics, introductory to the Prayer-Book, giving, in certain cases, the right of lessening, and of increasing the length of the service, it would accomplish all that is desired by the movers of these different resolutions.

Rev. Dr. HOWE:—The second period of the eighth article of the Constitution says, expressly, that no alteration or addition shall be made in the Book of Common Prayer, etc.

This is a proposition not merely to alter, but to add to, nor merely to add to, but to make a substitute for the Book of Common Prayer. It proposes to refer the thing, not to the Convention, but to the Bishops only. It proposes that it shall be done without restriction; that it shall lie over three years. Unacquainted, as I am, with the proceedings of parliamentary bodies, I ask whether a proposition, so in the teeth of the fundamental law, can be in order?

The PRESIDENT:—I should dislike to pass upon that question. The House had better pass upon it.

A vote was then taken upon the question of reference to the Committee on Prayer-Book, which was lost.

The question then recurred upon the resolution.

Rev. Dr. GOODWIN:—I moved that the resolution



should be referred to the Committee on the Prayer-Book, not desiring to say anything on the subject, if it were referred. But since it has not been referred to the committee, I do desire to say something before the question is taken. I think, Mr. President, that the constitutional objection is unquestionably well taken; for, it will be observed, that the resolution opens with the statement, "Whereas morning and evening prayer is obligatory." It is admitted that it is obligatory, not only for Sunday, but every day. We start with the admission that the morning and evening prayers are obligatory. So that the proposition to refer to the Bishops starts with the admission that it is unconstitutional.

Rev. Mr. HARROLD:—Would not the same objection apply to services which are now put forth by the Bishops?

Rev. Dr. GOODWIN:—I do not know any such services that would be constitutional. The resolution admits that the Morning Prayer is obligatory. No Bishop of this Church can give me liberty to perform a different service. A substitution for that which is now admitted to be obligatory is asked for. Besides, Mr. President, I should object, with all my heart, even if we asked the Bishops to do something, to instruct them exactly what to do. This resolution not only asks them to set forth something, but something of a certain sort or cut. If we want them to set forth a service, let us say it in the simplest words. I have a still farther objection. I am satisfied with the Prayer-Book as it is. Of course I have no objection to some slight modification of punctuation, or anything of that sort. Any thing of that kind is an improvement. I am, for one, opposed to any change. I stand on that ground. [Applause.] If gentlemen, on one side, are to bring forward their changes, gentlemen on the other side would bring forward theirs, and I would have, before Thursday morning, my pocket full of applications and memorials for changes in the Prayer-Book. I do not want to bring any of them. I stand to the Prayer-Book as it is.

The vote being taken, the resolution was lost.

Rev. Dr. PADDOCK presented the following report from the Committee on Canons:

The Committee on Canons, to whom were referred sundry memorials touching greater uniformity in the conduct of public worship, and in the administration of the Rites and Sacraments of the Church, would respectfully report the following preamble and resolutions, which they recommend for adoption:

WHEREAS, This Church seeks to keep the happy mean between too much stiffness in refusing and too much easiness in admitting variations in things once advisedly established; and, holds that with regard to things in their own nature indifferent and alterable, and so acknowledged, it is but reasonable that upon weighty and important considerations, according to the various exigencies of times and occasions, such changes and alterations should be made therein as to those who are in places of authority shall from time to time seem either necessary or expedient; her aim being to do that which, according to her best understanding may most tend to the preservation of peace and unity in the Church, the procuring of reverence, and the exciting of piety and

devotion in the worship of God; and, finally, the cutting off occasion from them that seek occasion, of cavil against the Church and her Liturgy; and

Whereas, It has been represented to this House by divers memorials numerously signed by Presbyters and Laymen of this Church, that the introduction, by certain of her ministers, of vestments, ceremonies, practices, and ornaments of churches, not heretofore generally known in the public worship of this Church, is marring her good order and harmony, wounding the consciences of many of her true and loyal children, scandalizing and repelling many without her fold, deferring hopes of Christian unity, and imperiling portions of the faith; and

Whereas, It has also been represented by memorials, likewise signed, that the neglect and misuse, by certain of her ministers, of vestments, usages, and in some instances, rubrics, well established and generally observed in this Church, are marring her order and beauty, disturbing her uniformity and encouraging individual lawlessness and self-will; therefore, be it

Resolved, The House of Bishops concurring, that, with devout acknowledgment of that gracious Presence and assistance of her Divine Master which has been so signally vouchsafed to this Church at many a crisis more perilous than the present, enabling her, in the midst of aggressions from without and innumerable short-comings and extravagances from within, to maintain the integrity of her doctrine and the beauty, decency, and dignity of her worship, this Convention attributes this happy result in a great measure, under God, to that spirit of moderation which has hitherto guided the councils of this Church, and which has rendered her averse to all restrictions of the liberty of her children in things indifferent or unessential, so long as unity can be maintained and spiritual edification promoted in any other way. It is the sense of this Convention, therefore, that the enactment of any canon on the subject of the ritual would be unwise and inexpedient at the present time. But it is none the less the sense of this Convention that the continued maintenance of the decency and order as well as of the peace and harmony which, by God's blessing, have always characterized this Church; the avoidance of the dangers of irreverence and lawlessness on the one hand, and extravagance and superstition on the other; the preservation of doctrine from peril of intentional or unintentional change, and a due regard to the scriptural canon of walking wisely toward them which are without, require from all ministers of this Church, celebrating Divine service in churches or other established places of public worship, a conscientious and so far as may be, steadfast adherence to such vestments, ceremonies, practices, and ornaments, as, by reason of long-continued use or by authority, are recognized as properly belonging to this Church, avoiding errors either by excess or by defect. And, further, that in all matters doubtful, for the avoidance of unseemly disputes and contradictory practices, which tend neither to good name nor to godliness, reference should be made to the Ordinary, and no change should be made against the godly counsel and judgment of the Bishop.

By order of the Committee,  
WILLIAM COOPER MEAD,  
Chairman.

CHURCH OF THE TRANSFIGURATION,  
New York, October 26, 1868. }

The reading of the last resolution above reported was greeted with applause.

The PRESIDENT.—I hope the custom will not be introduced into this Convention of applause or disapprobation of any thing that is offered here. We have gone through more than half a century without any such thing, and it would be an evil omen to have it introduced now. I beg that all such tokens will be withheld.

Rev. Dr. HAIGHT.—I move that the report be made the order of the day at twelve o'clock to-morrow.

Rev. Dr. HOWE.—Before that motion is put, may I say that a minority of the committee concur with the report which has been presented in so far as it expresses an indisposition to have any canon enacted touching this business at this time. Having felt that resolutions, if any be passed by this House, ought to be of a more distinct and explicit character, the minority of the committee have reported preambles and resolutions, which they ask leave to offer.

#### VIEWS OF THE MINORITY OF THE COMMITTEE.

The undersigned, a minority of the Committee on Canons, beg leave to offer the following report:

This Convention cannot ignore the fact that there is at the present time great agitation among members of our Communion on the subject of ritual: in some places reproach being incurred by the omission of proprieties of apparel and deportment in conducting public worship, which the established usage of our Church has sanctioned; and in others great alarm occasioned by vestments and chancel arrangements and ornaments, practices heretofore unknown among us, and characteristic in the regard of the great body of our people of a foreign Communion. Were this Convention disposed to close its eyes upon these facts, the voluminous memorials that overwhelm its table and invite its attention, especially to the last-named evil, would forbid it. The undersigned, in considering the subject, have realized daily, while they have given it more protracted deliberation, that it is beset with difficulties, particularly as a matter for legislative action. Canon law, unless it be specific to the last degree, it is easy for the evil-disposed to evade; and any enactments upon such topics would, in the present state of things, in their judgment, be premature, probably insufficient, and without precedent in our existing legislation. True sons of the Church will be loyal to the spirit of the Church. And this Protestant Episcopal Church, having here an independent being, has set forth its own standards and formulas of Doctrine, its pure and harmonious Liturgy, and adopted and maintained, partly by rule and partly by usage, its common and recognized manner of worship. In our Thirty-fourth Article of Religion it is declared that this Church, in common with branches in other lands of the One Church Catholic, hath power, as necessity shall arise, to change its ceremonies. But this power it denies to an individual member, and pronounces that whosoever, of his own private judgment, openly breaks the traditions and ceremonies of the Church, which, not being contrary to God's Word, have been ordained and approved by common authority, ought to be rebuked openly.

And with whom rests the official right and duty to administer such rebuke—privately, if so it may be effectual, publicly, if that will not avail—if it be not with him who is an overseer in the House of God?

It is a time when, amidst so much of disquietude and distrust within, and so much of change and disaster without, the Church may well look to her Chief Pastors to be more than usually vigilant, that they may discourage and repress all eccentricities in worship and ceremony, and admonish the negligent to be decorous and orderly. It is a time, when she may well enjoin her clergy to abide in the old paths, to remember that they are under vows to obey the godly admonitions of their Bishops, and to save their flocks from internal discord over novelties of ceremonial, when they should be "striving together for the faith of the Gospel." It is a time when it becomes the faithful Laity to aid and encourage their Pastors in doing good, so to supersede dreamy fancies by practical activity. There is enough to be done for the reclaim of man and for the glory of Christ, to postpone the agitation of questions, like those in the primitive age, which the Apostle to the Gentiles pronounced unprofitable and vain, generating strife.

Never, it would seem, has it fallen to the lot of this Church to enjoy such an opportunity for drawing to herself, if not in person yet in spirit, the good of every name, among whom she stands as a city set upon a hill. But,

only by maintaining her historic stability, her calm moderation, her simple yet beautiful worship, can she make her opportunity available. It will be in vain for us to hold the hand, to invite the followers of Wesley and other Christian bodies to unity in the Church of Christ, if, meanwhile, we shall appear to them removing from the old foundations, and tending to assimilation with a Communion from which they all recoil.

To give such expression as the exigency of the time seems to require to the common sentiments of the Church—to declare it loyal to the doctrine, polity, worship, traditions, and ceremonies which have been recognized as its established order through the three generations of its national being—to utter the aversion with which it regards all assumption of private license to depart from that order, whether by defect or excess, and in omission to seek or failure to respect Ecclesiastical counsel or authority, the undersigned recommend that this House—a representative body, speaking for the Clergy and Laity of this Church throughout the land—declares itself in the following resolutions, and asks the concurrence of our Right Reverend Fathers, the House of Bishops: Trusting that this may prove instrumental in promoting such degree of uniformity in the public worship of our churches as is desirable for edification and harmony, and consistent with the Catholic claims of the Body of Christ to which we belong. The conservatism which has always distinguished our branch of the Church, and which some hot spirits esteem little better than stagnation, will, we trust, under the Divine blessing, save us now as heretofore from being carried to any extreme or swerved from our propriety by the fantasies of individual men; so that this Church may continue to be the refuge of those who seek stability of faith without straitness, beauty of worship without sensuousness, and order of government without despotism.

The resolutions submitted for your approval are as follows:

WHEREAS, It has heretofore been one of the peculiar characteristics and attractions of the Protestant Episcopal Church, that its worship and the mode of conducting it have been in all places substantially alike; so that every child of the Church, in any one of her sanctuaries, found a familiar spiritual home; and

WHEREAS, It has been especially distinctive of this Church, that while it has avoided the baldness of most of the modes of Protestant worship, it has still more decidedly put away the many-colored vestments, excessive ceremonial and false symbolism of a foreign church with which it is not in communion; therefore

1. *Resolved*, As the sense of this Convention—the House of Bishops concurring—that the maintenance of our wonted uniformity and simplicity in worship is exceedingly desirable, to secure this Church from the insidious introduction of unsound doctrine, from the disturbance of the peace and comfort of its worshippers, and from exposure to evil report among them who are without.

2. *Resolved*, That while there is no absolute directory in the Canons or Rubrics of the Church, specifying all official vestments and practices, and all Ecclesiastical ornaments which may be fitly used therein, yet there is the indication of great simplicity; and the traditional usages of the Church in this behalf, from the date of its organization here to the present period, are in conformity therewith, and have, in the hearts and minds of the great body of its loyal members, the force of law.

3. *Resolved*, That this Convention affectionately urges upon all who have to do with the ordering of the appointments of public worship, that they abide by the traditions and ceremonies of this American Church; that none other than the "clerical habits" known to our fathers, and referred to by the House of Bishops at the General Convention of 1814, as appropriate to ministers officiating in the Congregation, "bands, gowns, and surplices," with their customary appendages, cassocks and black stoles, be provided, and that no strange ornaments of the sacred places, conducive to vain show or superstition, be introduced.



4. *Resolved*, That, in the judgment of this Convention—the House of Bishops concurring—the burning of lights in the order for the Holy Communion, the burning of incense, reverences to the holy table, or to the elements thereon, the elevation of the elements, making the sign of the cross (except when prescribed in the Rubric) in and during divine service or the celebration of the Lord's Supper, are innovations on our mode of conducting public worship, offend against the common order of the Church, and wound the consciences of many of its true and loving members.

5. *Resolved*, That this Convention earnestly expresses its disapproval of the omission of any of those proprieties of apparel and demeanor, when ministering in the congregation, which either rule or general usage has made distinctive of our worship, and commends all who, being in holy orders, would deviate on the right hand or on the left, from the common order of the Church's worship, to seek first the counsel of their Bishops, and submit themselves to their godly judgments.

(Signed) M. A. DE WOLFE HOWE,  
JOHN N. CONYNGHAM.

New York, Oct. 26, 1868.

Rev. Dr. HAIGHT.—I renew my resolution—that this be made the order of the day for to-morrow at twelve o'clock. This motion was agreed to.

Messages from the House of Bishops, Nos. 46 to 49 inclusive, were received.

Governor FISH, of New York, offered the following resolution:

*Resolved*, That from and after this time no new subject be entertained by the House or committed to any committee. Agreed to.

The chairman of the Special Committee, to whom was referred the communication of the Registrar of the General Convention, said: A communication from the Registrar was referred to the Special Committee having in charge the memorials from the different dioceses concerning Bishop Burgess's manuscript, the subject of which communication was to represent that the resolution passed by the Convention creating a permanent chairman was, in his judgment, in conflict with a canon. The House of Bishops, by substituting for the words "provided for" the word "regulated," satisfied the Registrar, and the committee beg leave respectfully to offer the following resolution:

*Resolved*, That the object of the communication having been attained, the Registrar be permitted to withdraw the same.

Which was adopted.

On motion of the chairman of the committee the Secretary was directed to strike from the records every thing relating to the communication, including this motion.

Rev. Dr. LITTLEJOHN.—I move, sir, that in view of the great importance of the two reports—the reports of the majority and of the minority—submitted this afternoon by the Committee on Canons, that these documents be printed for the use of the House to-morrow, as this subject has been made the order of the day for twelve o'clock to-morrow. It has been suggested that members might rely upon the ordinary newspaper reports; but I am afraid these will not be sufficiently accurate for our purpose. The omission of a single adjective or qualifying phrase would be of very material consequence in

the consideration of this subject. I presume that both the majority and the minority of this Committee on Canons have very carefully weighed every expression that has been used in their respective reports. Therefore I repeat that it is of material consequence to the proper consideration of the reports that they be presented to the House in printed form. I will modify my motion so far as that the resolutions and preambles only be printed.

Rev. Dr. HAIGHT.—There should be a special committee to see to the printing.

Rev. Dr. LITTLEJOHN.—I move that the Committee on Canons be that committee.

Rev. Dr. HAIGHT.—I beg pardon. [Laughter.]

Rev. Dr. MEAD.—I move that Rev. Dr. Littlejohn be a committee to get these reports printed by twelve o'clock to-morrow.

Rev. Dr. LITTLEJOHN.—I would bring again to the notice of this House that this question interests the outside public more than any other which has been before this House since the beginning of its session. I must insist that the printing of these documents shall be under the care and supervision of the committee who have reported them to this House. There has been nothing in connection with the business of the House that is perhaps of so wide-spread interest as this subject.

Rev. Dr. ANDREWS seconded the resolution, and hoped that it would include the whole report.

Rev. Dr. LITTLEJOHN.—I am authorized to say that a very distinguished member of this House [Rev. Dr. Haight], well known for his industry and business talent in connection with matters of this character, will take the printing of this matter in charge himself.

Rev. Dr. PADDOCK.—I desired very much that the Rev. Dr. Littlejohn would include in his motion the printing of the whole reports. There are some members of the committee who have labored for hours both in sub-committees and in the general committee in order to draw up those documents. Before the general committee there have been hours spent in the discussion of particular expressions. And it seems to me that to take one-half the documents, when, according to the intention, the whole document hangs together, is liable to lead this House into error.

On motion it was referred to the Committee on Canons to have both reports printed.

Rev. Dr. MEAD offered the following resolution:

*Resolved*, That the House of Bishops be and hereby is respectfully requested to take such steps as in their wisdom may be thought best, not only for promoting more intimate friendly relations, and a better mutual knowledge of each other between our own and the oriental friendly communion (the Russo-Greek Church), but especially for providing for the spiritual wants of our people who may emigrate to the territory of Alaska, with due regard to the rights of the Russian Church.

Rev. Dr. GOODWIN moved to amend by striking out from the words "not only" to the word "especially."

On motion of Mr. Welsh the further consideration of

the resolution was postponed until after the report from the Russo-Greek Committee.

The resolution with regard to vestments was offered and withdrawn.

The House then adjourned to to-morrow, half-past nine.

EIGHTEENTH DAY'S PROCEEDINGS.

TUESDAY, Oct. 27, 1868.

Morning Prayer was said by the Rev. Dr. William Shelton of Western New York and the Rev. William S. Child of Rhode Island.

The Benediction was pronounced by Bishop Odenheimer.

The Journal of yesterday's proceedings was read and approved.

Rev. Dr. HAIGHT—submitted report No. 33 from the Committee on Canons with reference to Message No. 34 from the House of Bishops, proposing an amendment in Clause 2, Section 3, Canon 5, Title 3, "of Congregations in Foreign Lands," and reported for adoption a resolution of non-concurrence with the action of the House of Bishops. Adopted.

Rev. Dr. HAIGHT—presented report No. 34 from the Committee on Canons with reference to certain resolution and memorials, and reported several resolutions: (1.) That it is not expedient to change the title of this House from that of Clerical and Lay Deputies to that of Deputies; (2.) That it is not expedient to grant the prayer of the memorialists who desire that any minister may omit from the services such expressions as he conscientiously believes to be contrary to the Holy Scriptures, provided he shall have first specified to the Bishop what such words and expressions are; for the reason that it would destroy uniformity in the worship of this Church and deprive our congregations of the right to enjoy an unmutated liturgy; (3.) That it is not expedient to grant the prayers of the memorialists for an amendment of Canon 5, Section 6, Title 1, to confer on some competent tribunal the authority to dispense in their discretion with the limitation of time in behalf of the class of minister therein described with an amendment of said canon proposed in the last General Convention on page 97.

The resolutions reported by the committee were adopted.

Rev. Dr. HOWE, of the Committee on Canons—submitted a report with reference to the petition asking that a license be given by this General Convention for the use of a collection of hymns entitled "Hymns Ancient and Modern," and reported that in their judgment there is nothing in the constitution and canons of the Church to forbid such action; and the committee reported the following resolutions:

*Resolved*, the House of Bishops concurring, That it be and is hereby declared lawful until a revival and enlargement of the collection of hymns now set forth for use in this Church shall be made and duly authorized, that in any congregation thereof in addition to those already allowed, hymns from the volume entitled "Hymns for Church and Home," or from that entitled "Hymns Ancient and Modern," be sung, the Bishop of the diocese in which such congregation exists consenting.

*Resolved*, the House of Bishops concurring, That it be referred to a joint committee consisting of three members of this House (two clergymen and one layman) and a like number of Bishops to be appointed by the House of Bishops, to take into consideration the psalms in metre and

the hymns authorized to be used in the public worship of this Church, with instructions to report to the next General Convention such alterations and additions as they may think expedient.

Rev. Dr. HOWE then moved the adoption of the first resolution.

Mr. WELSH—wished to know whether there were any hymns for children in the Hymns for Church and Home; to which Dr. Howe replied that there was an abundance of them; and Mr. Welsh then seconded the motion.

Rev. Dr. PIERCE:—I move that the last clause be stricken out—"the Bishop of the diocese in which such congregation exists consenting." If we are going to have any liberty at all in this matter it should be placed in the hands of him who needs it. This matter of having the use of different hymns according to the whims of a Bishop, is going to introduce great differences in the service.

Debate arising upon the resolution, according to the rules, it was laid upon the table.

Rev. Dr. GOODWIN—inquired whether the committee had examined these two books of hymns. There might be hymns in either of those collections to which he might earnestly object; and he would not be ready to vote that every clergyman should be permitted to select hymns whencesoever he might derive them; but if particular books were selected, and the committee had personally examined them and they recommended those hymns, he would have something to act upon.

Rev. Dr. PERKIN—said that it was well known that these two books were in extensive use in England.

Rev. Dr. HOWE—then moved the adoption of the second resolution; which was adopted.

Rev. Dr. R. A. HALLAM, of the Committee on the State of the Church—submitted a report with the joint resolution instructing the Committee on Canons to consider and report upon the expediency of amending Canon 14, Title first; and also a resolution declaring inexpedient any action with reference to registration of persons baptised or confirmed persons in the parishes; which two resolutions were adopted.

Messages No. 48, 49, 50 were received from the House of Bishops. The House adopted three resolutions contained in Message No. 48, appointing a joint committee to prepare and report to the next General Convention a version of the Book of Common Prayer in the German language, and appointing another committee to prepare a version of the same in the French language, and another committee to prepare a version of the Book of Common Prayer in the Swedish language.

Rev. Dr. MAHAN—presented the report of the Russo-Greek Committee.

On motion of Mr. Welsh, the resolutions submitted\* by the Russo-Greek Committee were adopted.

On motion of Rev. Dr. Mahan, Rev. Mr. Fulton of Georgia was substituted in the place of Rev. Dr. Young, now Bishop of Florida, in the Russo-Greek Committee.

Rev. Dr. LITTLEJOHN, from the Committee on the Domestic and Foreign Missionary Society—reported that a committee had examined with care the statement of their proceedings for the past three years presented to this House by the Board of Missions, and that the statement shows



that while the receipts for the domestic work have increased from \$75,000 in 1865 to \$117,000 in 1868, yet, owing to the great extension of the work, a debt of nearly \$25,000 must be carried over to the ensuing year; and that the foreign department was in arrears some \$20,000; thus making an aggregate indebtedness in both departments not far from \$45,000. The committee reported for adoption certain resolutions, which were adopted.

On motion of Rev. Dr. Haight, the message from the House of Bishops (concerning the appointment of a joint committee to consider the present state of Theological education of this Church, and the means for its facilitation and improvement, and report thereon at the next General Convention, and also to confer with the House of Bishops on the revision of the course of study), was concurred in.

On motion of Rev. Dr. Howe, the House proceeded to consider the first resolution [given above] reported by the Committee on Canons concerning the hymnody.

The first question thereon was the motion to strike out the clause requiring the consent of the Bishop.

Rev. Dr. ANDREWS:—The suggestion offered by the gentleman from Pennsylvania strikes me with great force. I desire to ask the committee whether they have themselves read the hymns in the Book "Hymns, Ancient and Modern." I have read them; this resolution is an endorsement of them. I must take an exception to the statement that it is used in England more extensively than in this country. Some of those hymns are notoriously contradictory of the doctrines of this Church. This resolution amounts to an endorsement of that which I am persuaded a great majority of this House are not prepared to vote upon, because they don't know what they are.

Rev. Dr. PITKIN:—I had the honor at the last General Convention to introduce the substance of the report by the Committee on Canons. During the course of the remarks I said that millions of copies had been published. I must say that subsequently I was annoyed that I had made such an exaggeration; but I learned some two months ago that I did not exceed the number; that the declaration was true; that millions of copies had been published; and I can say from my own personal knowledge that "Hymns, Ancient and Modern" are not only used by all shades of parties in the Church of England, but very extensively for family use. Everywhere, where I had an opportunity of observation, I found "Hymns, Ancient and Modern," and in very general use for family hymns, not only those selected hymns which are general favorites, but I found they were used generally; that is to say, there was no exception, and they have become so common, and so general as to be almost household words throughout the length and breadth of the land. Now, I do hope that this resolution will prevail, and that we shall have the opportunity of using these hymns; and that we shall not be confined as we have been. Certainly, we have sufficient testimony in our Church with reference to the general favor with which these hymns have been received. While there may be exceptions taken to one or two hymns, yet after the abundant and universal testimony given these hymns, why should we reject a collection that is so much used, simply on the ground that it is just possible that we may take exception to one or two of the hymns. In that way an objection would lie against the

collection authorized by the Book of Common Prayer. Do we not take exception to some of those hymns? We do not reject them, because these hymns are authorized. I am sure that in the present instance no harm can come. The moment has arrived when we should have this liberty. And I can say that these "Hymns, Ancient and Modern" have been, through the blessing of God, one of the most powerful agencies to promote the great religious movement in England at the present hour, just as the hymns of John and Charles Wesley were instrumental through the blessing of God in advancing the religious movement that occurred at that hour. "Hymns, Ancient and Modern" have served the same purpose, and everywhere that you see that glorious religious enthusiasm which prevails in England you will find the Hymns, Ancient and Modern expressing their devotion. I hope that these objections will not prevail, but that we shall have the hymns which are suited to our present circumstances, in order that we may sing the praises of God in that multitudinous language which these collections which are set before us certainly provide. I have read over these hymns and approve of them; but that testimony would be of little value; and in like manner the testimony of three or four or five gentlemen would be of little value. Of greater value is the fact, that there is no book that is so extensively circulated among all classes of Churchmen, of all shades of opinion, as is this book of "Hymns, Ancient and Modern." I have used those books myself again and again in English churches, and I have found them among Churchmen of all shades of opinion. I know that while these hymns meet the views of those who hold the highest doctrine, they are not objected to, but most cordially received and devoutly used by those of the lowest. I know through large sections of England these books are as common as the Book of Common Prayer.

Rev. Dr. ADAMS:—I wish to call the notice of the Convention to the fact that I drafted the canon which went before the committee and produced their resolution. I wish to know now whether I cannot bring forward that original canon as an amendment to their resolution.

THE PRESIDENT:—You can offer any amendment you choose.

Rev. Dr. ADAMS:—I then offer this canon as an amendment to the resolution of the committee. I wish this House to listen to me with a little care while I put down the principles on which that canon was predicated. The consideration first is this: that the present hymnal of the English Prayer Book is the hymnal of the Church; and therefore that I take it that no resolution of this committee can authorize any congregation to substitute any hymnal for that until further constitutional action.

Messages Nos. 51 to 53 were here received from the House of Bishops.

Rev. Dr. ADAMS (resuming):—I will say that the canon which I proposed simply will be this. Taking it for granted that there were in the Church of England and our Church three very popular collections of hymns, "Hymns, Ancient and Modern;" "Hymns of the Society for the Propagation of the Gospel;" and the "Hymns for Church and Home." Taking it for granted, then, that occasionally a clergyman of our Church would desire to have permission to sing a hymn out of the collections, the object of this canon was

simply that any individual clergyman should be permitted to use such a hymn, with the consent of his Bishop, given in writing, the request for permission to use being in writing. That, I conceive will give an opportunity of singing hymns which no one can have any objection to; and which the gentlemen who objected against Hymns, Ancient and Modern certainly cannot object to. I think, seeing the position in which we are in regard to hymns, that every clergyman and layman in this Church will see that it is but right and fair that in the case of an occasional beautiful hymn in these three collections the clergyman should have the right to ask the liberty. The canon is drawn up I must say with exceeding care; and I think that no man will have any objection to it. I will say upon this point that our collection is in regard to music the best of all collections; but I will say that outside of us there are from 60 to 80 hymns, most admirable hymns, which lie in these three collections, and which I think many clergymen desire to use; and it is for the purpose of giving them that liberty under episcopal supervision that I move the adoption of this canon. And I think the gentleman from Virginia will be content with it; and that until we can get a revised hymnal of our own, which I confess is in the far distance, I think this canon will content this House; and I am of the opinion that if they will listen carefully to my explanation and appreciate the position in which hymn singing is put by this canon they will pass it without further trouble.

The Secretary then read the canon, as follows:

"Canon —. While our own collection of hymns usually annexed to the Prayer Book is the hymnal of this Church, nevertheless any clergyman with the express consent of his Bishop is given the power and authorized to use as supplemental any hymn in the underneath collections publicly in our own Church and the Church of England: 'Hymns, Ancient and Modern;' 'Hymns for Church and Home;' 'Hymns of the Society for the Propagation of the Gospel.' And this permission shall be applied for in writing, specifying the hymns intended to be employed; and the permission also shall be in writing."

Rev. Dr. HOWE:—I was going to explain why the committee did not adopt and recommend this canon. In the first place, Mr. President, inasmuch as we brought in simultaneously a proposition for the revival of our entire psalmody and hymnody, we did not think it expedient to cast a canon upon the subject just at this time. In the next place, we did not think it expedient to enact a canon at any time which should make it necessary that on each individual occasion when a clergyman desired to use a particular hymn in one of the three collections, he should have to ask in writing permission from the Bishop and get that permission in writing. In the third place, we did not think it desirable to set before the Church three collections out of which such selections might be made, but two alternate ones, the one supposed to be more agreeable to what may be called the one wing of the Church and the other to the other; and while there were believed to be by the Committee on Canons two or three at most in Hymns, Ancient and Modern that we all would not subscribe to, so there were hymns in the other collection that would not be after the taste of the other wing of the Church. We, therefore, present these two collections.

Rev. Dr. HAIGT:—One more reason might be added,

that is, one of the books specified in the canon does not exist. There is no such book. [Laughter.]

Rev. Dr. ADAMS:—I have it in my possession; if that don't exist I do not exist. [Laughter.]

Rev. Dr. HAIGT:—Then my brother must be annihilated for there is no such book. [Laughter.]

Rev. C. P. GADSDEN:—Hymns, Ancient and Modern is a volume that I have had upon my table for some years, and many hymns in it are exceedingly precious, and I suppose will be generally received by all persons; but there are at least two hymns in that collection which involve doctrinal points upon which this Church is not only widely divided in opinion, but which I believe really go contrary to the accepted doctrine of the Church on all hands. We have never before accepted any hymn on this floor without having it sent to a committee and examined; and while hymns may be objectionable, yet I suppose there is not in our present collection any hymn supposed to be directly in opposition to the pronounced doctrines and opinions of the Church. But there are at least one or two in that collection which I think, if they were carefully examined, would be found so to read. Therefore, I hope we will not be pressed to accept the whole volume without examination and to endorse it in this way and to send it before the Church as receiving the sanction of this body. There is a great deal in it of no value at all; and there are doctrinal points stated in these hymns which I cannot persuade myself if submitted to this Church, this Convention would be ready to endorse. I therefore protest against the endorsement of the book without thorough examination and without this House understanding what it is doing.

Rev. Dr. PADDOCK, of Michigan:—The question has been asked over and over again whether members of the Committee on Canons had examined the book [Hymns Ancient and Modern] and therefore meant to certify as to the character of this volume, which they thus seem to endorse. I need hardly say that it is hardly possible that any book would be endorsed directly, or indirectly, by the Committee on Canons, unless it was certified that more than one member had examined the volume. It was said that many members had examined the volume; but I do not understand that the Committee on Canons endorsed, in the strict sense, this particular volume, namely, Hymns Ancient and Modern. I felt it my own duty to vote against even so much a seeming endorsement as comes before this House by the recommendation of the committee. I believe every word the gentleman from South Carolina has just said. I could go further, being familiar with it. I think it is a book of great merit, in the main; it is a book with some very poor hymns, and containing some two or three whose doctrinal statements are altogether inaccurate, and such as I would not accept; and I do not believe that, if put out nakedly before this House, they would receive five votes on the floor of this House. I am afraid we may be in danger, on account of our impatience in this matter. The real desire of this House is to have an enlargement of our hymnal. I am afraid we may be in danger of taking the thing, as it were, by the hump, and so seemingly to endorse, in the aggregate, some hymns that, as individual hymns, I am sure, we ought not to endorse. If, therefore, the rec-



commendation of the committee be understood as an endorsement of all hymns in that book (Hymns, Ancient and Modern,) I should want to have it, distinctly understood, as a member of the Committee on Canons, that I must dissent from it. If it merely offers the book as a sort of tentative book for the use of this House, then I might be willing to let it pass; though I do feel that it is opening a wide door to allow the use of two volumes, one containing three hundred hymns, to take their place among the authorized hymns of this Church without a careful examination by the members of this House.

REV. DR. HARE:—I am much in favor of the amendment, for the reason urged by the mover, namely, if the House of Bishops concur in this matter, it would not be necessary to have the consent of the individual Bishops, from time to time; and I should be willing, in accordance with the suggestion of the Deputy from South Carolina, that this matter should be sent to a committee, in order to examine as to the particular things referred to. I recently, as one of a party of several, traveled in Europe. We represented the two different leading schools of our Church. We everywhere, of course, attended the services of the Church of England on the continent—the service used by the continental and colonial society. The most of the party, as from time to time they heard the Liturgy of the Church of England read, rejoiced in the very great improvement made in that Liturgy by the American Protestant Episcopal Church. But all of the party were not agreed in relation to this matter; but, as to the hymns we heard, the hymns generally called hymns, Ancient and Modern, sometimes the hymns set forth by the Society for the Promotion of Religion, we all joined in the opinion that for simplicity, devout spirit, and church-like dignity, they far surpassed the hymns of our own Church. I therefore rejoice to hear this proposition. With regard to the exceptional points, we may refer the matter again to this or another committee, to remove those difficulties; but I do trust we may not lose the opportunity of improving our worship by these most ennobling, spiritual, and church-like hymns—Hymns, Ancient and Modern.

DEPUTY, from Maryland:—With regard to the doctrines of the Hymns, Ancient and Modern, I suppose, if we were to examine the hymns set forth in our Prayer-Book at the present day, there are hardly a half dozen men on this floor that could be reconciled about the doctrines of those hymns. We had, the other day, one of our most learned men bring in a very reasonable objection to a hymn which is commonly used in the Prayer-Book; it is called the Litany Hymn.

HON. S. B. RUGLES:—I wish to ask for information. I have no objection to Hymns Ancient and Modern. I wish to ask what is to become of the hymns already set forth by the Bishops, under the resolution of the last Convention? Are they to be continued, or not?

REV. DR. HAIGHT [in the Chair]:—Yes, sir.

REV. DR. RICHARD S. MASON:—I don't think anything can be presented to this House, for their consideration, of greater importance than the subject now before us, in respect to the hymns of the Church. With regard to the greater number of those who belong to the Church, the doctrine is not derived from the thirty-nine articles. It is

not so much derived from the Liturgy, because the Liturgy of our Church is intended to comprehend almost the whole world of orthodox Christians. This is a remarkable beauty in our Church, that if there is to be a Catholic Church, it must be our own. A Baptist, a Presbyterian, or a Roman Catholic can commune with us, although we could not reciprocate with them; because they impose conditions of communion which we cannot accept. But almost the whole orthodox world can commune with us; therefore, in our Liturgy, the peculiarities of doctrine are not expressed. It is intended to be a Liturgy for the Catholic Church—the Church of the world. But in regard to hymns, that is not the case; and the doctrine of the great body of the Church is derived more from the hymns than from anything else; and, I think, therefore, an exceeding caution should be used with regard to any additional hymns. If I were to propose a resolution, it would be, to constitute a committee to *shut out* hymns. There are many hymns in our Church which I never will use. Under the present aspect of things, what is to prevent a clergyman, if he finds a hymn that inculcates, or tends to inculcate doctrines of transubstantiation, to employ it on purpose? Suppose he finds a hymn which tends to shut out the idea of an intermediate state; is that proper? I know there are hymns used in our Sunday-school which have that tendency; declaring that the children at once go to glory; and so it is with regard to the various doctrines of our Church; and, therefore, I say, it is far from my idea that it is advisable that there should be an extension of hymns. It is my idea, rather, that there should be a restriction of hymns. We do not need many hymns to communicate the doctrines of the Church. I remember, when I was a mere child I was taught the fifteenth Psalm, and that psalm has been so impressed upon my mind ever since, I hope it has been of service in keeping me from anything like a want of charity. Are we called upon to sing definitions? Some hymns are but little more than definitions; and I do not conceive that they are a promotion of devotion. Is the hymn "Vital spark of Heavenly flame" a proper hymn? There is one recently admitted, by Bishop Heber, "Brightest and best of the sons of the morning," which either contains no devotion, or is an idolatrous devotion. I therefore say that I would adopt a canon, much rather than a resolution, because the Bishops can guard against anything like false doctrines.

MR. WELSH:—I would like to make a proposition. The subject is under discussion elsewhere, as I know. There are a few hymns in "Hymns, Ancient and Modern" which they are taking out; and if the amendment is passed, striking out the closing part of the resolution, it is my proposition to refer it to a committee. I know the Bishops have the subject under consideration; and the few objected to will be taken out, so that, if we pass the amendment, it will be easy to refer that to a committee, and, I think, that we can pass it to-morrow, unanimously.

REV. DR. PETERKIN:—I wish to say, with reference to the gentleman who has taken his seat, that this is a subject of great importance; and yet, I think, our deliberations may tend to some good purpose. For example, I listened to the objection which was brought to that admirable hymn of Bishop Heber. I think that hymn, as now written, ought

not to stand in the supplementary hymns which are allowed to be used in this Church, because it is a direct appeal—"Brightest and best." Might it not be altered, and then put into the third person singular? I wish to say (and this is the principal object for which I arise) that while all agree, perfectly, that we ought to be sure to have doctrinal hymns, I would like to have grammatical accuracy. [A voice—"And a little poetry."] Yes, sir, a little poetry. There I must say something in behalf of our present hymnal, which, on the whole, is the most unobjectionable book of hymns that ever has been presented to the world. We are not obliged to sing every one of these hymns. We have, with this Prayer-Book, all the supplemental hymns that have been already published, and all the liberties we desire, for the present, until this committee which has been appointed shall have made its report. But I wish to speak, for a moment, upon this point: the necessity of grammatical and rythmical accuracy. There is a hymn which I have seen in some collection of hymns, the author of which was some person of great piety—

"Broad is the road that leads to death,  
And thousands walk together there;

[A voice—"Dr. Watts."] Just the closing line of that hymn I don't like; not as anything that I cannot subscribe to, in doctrine, but as to grammar. For example, the closing verse:—

"Lord! let not all my hopes be vain;  
Create my heart entirely new,  
Which hypocrites could ne'er attain;  
Which false apostates never knew."

There is rythmical inaccuracy, and everything else. Yet, it would have been so perfectly easy, if he had not been in a hurry. A gentleman ought not to be in a hurry when he writes something that is to penetrate the heart of the rising generations of the whole Church. I do not want to sing hymns that may vitiate our modes of thought or expression. [The speaker here criticised another hymn as to propriety of expression, and showed that, as originally written by Wesley, it was not so objectionable as the ordinary version.] We ought to be careful not only to secure doctrinal psalms, and elevation, and purity of sentiment, but grammatical accuracy. There must be grammatical inaccuracy, I suppose, in many of our speeches here in this Convention, and, probably, elsewhere; but when a thing is written, for the use of the Church, let us see to it, with the utmost of care and deliberation—protracted deliberation, if you please—that it is something we shall not be ashamed of, in any one particular.

MR. WELSH:—I understand that the Committee on Canons are willing to allow the amendment.

REV. DR. MADAN:—I should hope not, without a meeting of the committee.

MR. MCCRADY:—The laity have a voice in the Prayer-Book. Now, it is said that one that has the making of the songs of a people, can make the people. If you have the liberty of singing what you please in our churches, you indoctrinate it; but the laity have no choice here; it is to be the minister who is to decide, and who is restrained by his Bishop. But I, as a layman, want to have a voice in selecting the hymns; and that is not an unreasonable desire. I

do not want to have my children indoctrinated with notions in the hymnal, that are not in the Prayer-Book. If you give two books, from which you may select hymns, and there are only a half dozen in them that are antagonistic, you will have them sung a dozen times while the others will be sung a single time, and so you will have our "Wings" fighting each other in their hymns, and they might as well fight in their prayers. Whatever you allow to be put before us, should be approved by the whole of us, in the form in which the present book is approved.

A motion to lay the whole matter on the table was lost.

REV. DR. ANDREWS moved to refer the resolution to the Committee on Canons, for further consideration, to report as they pleased.

This motion was lost; and the question then recurred on the amendment offered by the Rev. Dr. Adams, to substitute his canon for the report.

HON. S. B. RUGGLES:—Does not that exclude the supplemental hymns proposed by the Bishops?

REV. DR. ADAMS:—Certainly not.

REV. MR. ROGERS:—As between the two, I think the last would hardly be fair, when my Bishop is on the Red River, and I cannot send and get word from him in two months.

A vote was then taken on the question of the adoption of the substitute, when it was lost.

The question then recurred, upon the motion of Mr. Welsh, to strike out "with the consent of the Bishops."

REV. DR. GOODWIN:—That question is a new question—the motion to amend—and I desire to say that as the committee have emphatically declined the position of recommending these hymns, and as it is to be understood that the Convention does not authorize their use, this amendment becomes vital. The committee do not profess to recommend these books for use, or in any wise authorize the use, or propose to authorize them, as recommended to this Church. It is understood that this Convention takes the same ground—that we do not authorize the use of hymns, exactly, but we leave liberty to use them. To whom is the liberty to be left? It is said that if the House of Bishops pass it, it will all be well. But the House of Bishops will stand on the same ground of not, on thorough examination of all these hymns, recommending them all for use in the Church. Then, I say, it remains to ask, to whom shall it be left? To the Bishop of the diocese and the clergymen desiring to use them, or to the clergyman alone? And if it is to be left to the clergyman alone to determine what hymns to use, why confine that clergyman to these two books, if it be admitted that there are some objectionable hymns in the book? I ask gentlemen to correct me, if I am wrong, that in the Church of England they have no prescribed hymnal; every clergyman, as I understand it, selects his own hymns. If that be the rule in this Church, very well—we ought not to recommend any book. Now, take the case of England. This book is very largely used. Very good. Suppose that nine-tenths of all the hymns of that book would be perfectly satisfactory, and that I should have the privilege of using them. Then I should use those hymns. But here is another tenth that somebody else may desire to use, and that is very well; but we differ. There are some hymns that some would use, and others, that oth-



ers would use. I like the figure that was used by my reverend colleague, a little while ago, that here are hymns that would satisfy both "wings of the Church." I like this figure of "wings of the Church"—wings by which she may fly—may rise aloft, as an eagle, to heaven. Let them be wings, and let them agree together in action, as I trust they would; but I do not see the propriety of selecting these hymns, with this view, unless, at least, Mr. President, we require the endorsement of the Bishop of the diocese. You cannot have the endorsement of the House of Bishops. I have spoken, therefore, directly to the terms of this amendment.

The SECRETARY then read the amendment to strike out the words "the Bishop of the diocese in which such congregation exists consenting"; and the vote being taken thereon, the amendment was lost.

Whereupon the question recurred upon the resolution, as reported by the committee; and that was adopted.

The House then proceeded to the consideration of the order of the day, which was the consideration of the report of the majority of the Committee on Canons, on the subject of Ritual.

The report of the majority being read by the Secretary—

JUDGE CONYNGHAM said:—In order that this whole subject may come properly before this House, I move as a substitute for the resolution of the majority of the committee the resolution offered by the minority of the committee; and I would ask that they may be read by the Secretary before making some few observations.

Whereupon the Secretary read the resolution of the minority of the committee.

The PRESIDENT:—Will Judge Conyngham permit me to suggest one question? I perceive in the order of proceedings of this House, differing from those of ordinary deliberative bodies in that particular, so far as I can find out, that an amendment may be offered and an amendment to an amendment, and that no subsequent amendment can be received, but that a substitute may be received, and that when an amendment to an amendment is under consideration, a substitute for the whole matter may be received. I do not see any other place for a substitute to be offered.

JUDGE CONYNGHAM was understood to accept the suggestion, and to move the resolutions as an amendment. He then proceeded: It is not intended by any thing that I may do to place this in a condition that it cannot be amended. It is simply offered with the desire to bring before the House and permit this House to vote upon the two propositions as they are submitted to them. I submit as a substitute the views of the minority. They are more in accordance with those I entertain myself than the others, and yet were I to follow out all perhaps I might desire to do personally, they would be enlarged and made more specific than they are. But I am perfectly satisfied under all the circumstances of the case to submit these as they are now presented to the House. When I presented the memorials a few days ago, I stated then while I presented also the form of the canon, that I was not prepared to say what action I myself would take in relation to the canon; and I have been willing therefore, upon reflection and upon the advice of others which I am very willing to submit to, to de-

cide to agree with the majority of the committee, that the canon is inexpedient. It is enough that we have reported resolutions for the action of the House in any shape. I hope they will receive the approval of the House. I do not rise to oppose the report of the majority; I simply prefer the report of the minority. It has been the boast, nay, sir, it has been rather the heart-felt and abiding feeling of every member of our Church, that there has been, wherever the members of the Protestant Episcopal Church have been worshipping, a uniformity of worship; and it is the great gratification of all of us here, that while we are separated from our families, we know when the Lord's day comes around, that there the same worship is being offered in which we are united here. This arises from the feeling of a uniformity of worship; and this uniformity of worship it is claimed by a number of highly respectable gentlemen who have signed memorials that have been placed upon the table of this House, is broken, not so much in the words spoken as in the various matters connected with that character of worship that destroys the effect of their use. This being the case, we desire that there should be some change on this subject, not that there should be any canon regulation, but that there should be a warning voice of the Church, to go out and advise all those who ought to pay obedience, what they are called upon to do. Heretofore when we were travelling and came to some little town or to some city, and we inquired where there was an Episcopal Church, we hesitated not to go there. We went into the church and felt that we should be worshipping as our fathers did and as our families would be worshipping elsewhere. Now, however, it becomes necessary to present a different question and ask, is there a variety of that worship, not in the words, but in those appendages, and various matters exhibited there distracting the attention of one who comes in for the first time and sees them destroying the character of that worship that ought to be pure and separated from the sensuous thing in this world below. We have a Church that is national in one sense of the word, not in the sense in which the Anglican Church is national, but it is national here, it is the Protestant Episcopal Church in these United States of America, so recognized in the preface of the Prayer Book, and so recognized in the terms in which the Prayer Book was ratified. When we learn that the usages and practices of that Church as conducted by our fathers, and to which we have been long accustomed, are changed and that other matters are introduced—I will not enter into details—so different from those, is it not time that the voice of the Church should be put forth and expressed in unmistakable terms as to the views of the Church at large? We can look back many years since and see what were the usages and practices of the Protestant Episcopal Church in America. It is not difficult to ascertain them. There are those yet living who can tell you. I can look back myself for a great many years; and I can remember—for it has been a common expression with me that I was born and bred in the Church, under the late Bishop White—I can look back for a period of something like sixty years and remember when I went into church what appeared before me. There are many that can go back further. Are there not appearances presented now that are different? And why is it? To gratify fancy? Let not this question be brought in. Let

these things all be cast away. Is it to symbolize anything? Let not that which is regarded in other communions as symbolizing that which we regard as wrong, be introduced. These things operate upon the minds of the young, and the minds of the young are led astray. I will mention what occurred almost within my own knowledge lately. In a small country town a young man coming from the city said he was a ritualist, that he understood all about these things and in the country we knew nothing about them. On entering church, he spoke to some one near him and said to him, "Tell me what are the points of compass here; what is the particular bearing of this church; for when I make certain reverences I am accustomed to bend to the east?" [Laughter.] I do not mean to say that these things are taught generally; but we know what these things lead to. I have been spoken to since I brought this subject before the House by many persons of different shades of opinion from myself, asking that these things should be brought forward. But why should we aid them; why should we recognize changes; where is the necessity for them; where do we find the ground of rest? Come to our own Church; I mean that branch of our Church, not speaking generally upon the term church as looking beyond the time when our church was organized, but our branch of the Church, and there let us rest and abide. We have referred in one of these resolutions to the action of certain Bishops of the Church in the year 1814. I admit before this House that this is not to have the force of a canon, or the force of law, or the force of anything more than the expression of opinion; but when we do find that the Bishops in 1814, there expressed what their opinion was, incidentally only, but still expressed their opinion in 1814, what the ordinary vestments of a minister of the Church were, when they did so, why shall we not now be content with the accompaniments that always then attended upon them? Look back and inquire into and ascertain from those that lived in that day what were the usages and practices of the Church in these matters. I am aware that it is almost useless to address this House upon the subject. There are many that know more about these matters than I do. I regret that I have extended my remarks so far; but I am endeavouring to bring them within the allotted ten minutes; I ask this House to look at these things, and to look at what is stated in the fourth resolution of order, not that we justify these matters. Let them reflect; let them see how it appears to others; let them see that it has been condemned by authority elsewhere, and as far as there is imitation. I regret to see that there is too much of the spirit of imitation, [Here the gavel fell].

JUDGE OTIS:—The only question now before the House is the substitute moved by Judge Conyngham. The report of the majority of the committee was first before the House. A substitute for that is moved by Judge Conyngham; and his remarks are upon the substitute. I have but very little to say, but what I have to say will be directly then, against the substitute, against the adoption of the report of the minority of the committee. In the first place, this Church cannot legislate by resolution; it may express an opinion. No clergyman can be tried for holding opinions contrary to resolutions passed by this House or this General Convention. The canons of our Church expressly provide that clergymen may be tried for violating the canons and constitution of

this Church. They may be tried for holding and teaching doctrines contrary to the doctrines of this Church, holding and teaching doctrines contrary to those prescribed by this Church; therefore resolutions, being mere *bruta fulmina* of opinions that may be expressed by this House, and different ones expressed by the next, three years hence, have not force of law; no man's conscience will be bound; no man who in conscience believes contrary thereto, will vary his acts or proceedings in conducting public worship to accord with any resolution we may pass. We cannot even legislate upon matters of conscience, and make our clergy and laity change their opinions, much less pass resolutions declaring that so and so we believe to be the sentiments of this Church, when we ourselves admit that they cannot be held as binding and law. Therefore is it wise at this time to express an opinion on the subject, which can have no force upon the conscience of our clergy or laity? I think not. It is proposed as the ground work of this whole measure that dangerous or new innovations are being taught, that dangerous practices symbolizing dangerous doctrines are being taught, and practiced by our clergy and introduced into their services. Now, then, as to that there is now no legislation in this Church upon the subject of teaching by symbols. We legislate only upon public opinions expressly held and taught. We cannot legislate as yet, we never have as yet, against the teachings of a symbol, because one man says it teaches this, another that it teaches that, and another will deny that it teaches any thing at all. This fourth resolution proposes expressly to declare certain things unlawful, and not proper to be used in this Church. I say, at the present time we are not prepared in this country to express a definite opinion upon these subjects; for it is claimed by the whole Church of England, I do not say whether it is so or not—(I defer to the Bishops and clergy in all matters of that kind). I say it is claimed by the whole Church of England that these are lawful, at least certain ones have been lawful in the Church of England since the Reformation; and upon that point I express my own opinion that this Church was not organized in this country after the Revolution as a new Church. There were churches of the Church of England in ten colonies prior to the Revolution, stretching all along the Atlantic coast, churches having clergymen of the Church of England and a Prayer Book of the Church of England. They were members of the Church of England and, when the Revolution made it necessary to throw off the jurisdiction of the Bishop of London who had, then, ecclesiastical supervision of these churches, it became necessary to organize by themselves, but were they not still in full communion with the Church of England? Certainly. They did not change their faith in any particular. They organized them in this country separately, provided Bishops of their own and sent them to England to be consecrated, having the same faith, the same Church that they had before, and we are to-day, this day, in as full communion and as thoroughly agreed in the faith of the Church of England as we were anterior to the Revolution, as I understand it, by law.

Their practices and usages have never been established in this country, as I understand it, contrary to the Church of England in the method of our conducting the services of the Church, except so far as our



Prayer Book varies from theirs. Such being the case these men coming from England here brought their religion with them as colonists of England, the same as those who go to Australia or New Zealand, or any colonies, carry with them the Common Law of England as well as the religion of the Church of England. Both go with them. This is a fundamental principle in the law of nations in every country. Our courts have decided, from the organization of this country, that we brought from England the Common Law of England. We brought the religion of England, those who were members of the Church of England, when they organized it. Then we are the same. Whatever is lawful in the Church of England is lawful here, provided we have not prohibited it. Then, this Church was not a new Church when our forefathers first landed at Plymouth Rock. It does not date there. It was not a new Church when our ancestors first landed at Jamestown. It does not date there, though they brought their Prayer Book and their religion with them. It goes back further. Where does it stop? I contend—and I speak with deference in the presence of clergymen—I contend it was not a new Church at the Reformation in England. It dates back of that we know, back of Edward VI. It goes back to the planting of that true Church by the Apostles, one of whom came and planted a true Apostolic Church in the Island of Great Britain. This kept on reforming, and being reformed, from time to time as necessity required, at times being compelled by the arbitrament of the sword to submit to the Pope for a hundred years at a time, then throwing off that and asserting its purity; and it has gone on, not looking to Geneva for reforms, but making its own reforms; and we are the descendants of that glorious early Church that has been handed down to us from primitive times. Now, I say, here is Rome on one side of us, and here is Geneva on the other. We occupy a great belt lying between. We cannot go to the extreme on either side; but in this great broad belt between, there may be differences of opinion; and we have tolerated for more than three hundred years these differences of opinion, and we cut off none who are inclined to walk on the side of the belt nearest Geneva, neither cut off those who walk on the side of the belt nearest Rome. We tolerate you all, so you do not get over the line [Laughter]. Toleration, then, is what I plead for. Those brethren who believe in a high ceremonial, can worship God in simplicity and truth. Let them worship Him so. Those who want meagerness and barrenness approaching to the denominations that surround us, let them have it so, so they keep within the requirements of our law; and our law has never undertaken to prescribe, I trust never will, too rigid and iron a rule. During the thirty years from 1780 to 1810, the Church of England lost one hundred and nine thousand of its communicants in the Wesleyan movement at the period when their services were at a low stage, corresponding almost with the denominations and dissenters around them. In consequence of lowering the standard, your folds flock away into the denominations.

Hon. S. B. RUGGLES:—My much honored friend from Illinois has done me great wrong—he has taken away nearly all the speech I intended to make. I wish to continue the same strain of liberal remark which I listened to so gladly from him. I am here to plead for toleration in this

Church and to protest against intolerance. That is the great issue now. I was in the Convention of 1859, when the question came up of toleration against intolerance. A machine was proposed to us, called a Court of Appeals, the object of which was to confine within rigid lines and define every possible offence, theological or secular, and punish it by a hard unyielding court like the authority of the ancient court of Rome. I took ground at once against that institution as being utterly intolerant and objectionable and destructive of the true spirit of the Church, and at the venture of being even egotistic, I will read precisely what I said upon that occasion, upon that question, that I may refer to the decision that was made between the question of toleration and intolerance.

"The Church itself, avowedly exists, not a uniformity, but a diversity." Is it, or is it not true, that in this very Church, and even among its learned, pious, and venerable Bishops, differences of doctrinal opinion do exist to some extent? that some of these excellent men do not walk precisely on the same line, but do deflect their course at least a point or two in the direction of Rome or Geneva?

I beg the advocates of uniformity to tell us if they can, how far apart are the extremities of these various shades? Do they, can they reasonably hope that by the mere machinery of their Court of Appeals, they can establish and permanently maintain a distinct, unvarying, equatorial line between Romanism and Calvinism,—wide as the poles apart? on which the whole Church is hereafter dutifully to walk, looking neither to the right nor to the left, to the north or the south.

Let us assure the Constitution menders, who would thus confine human opinion within Procrustean machinery, hard and unyielding, that the pride and glory and chief attraction of the Protestant Episcopal Church, at least in the eyes of the laity, are found in its tolerations, its comparative elasticity, its gentle and Christian conformity to the varying phases of human nature and human institutions; in its being in a word, like its Divine Founder, a body not of stone or wood, but of living flesh and blood. It is this generous and wide spread toleration, this composite and truly Christian character, which enables it to attract to the fold poor wandering human nature, in all its aspects and all its errors, seeking, not by force but by love to elevate and save. Its leaders may indulge the laudable ambition of eventually embracing within its authority, the largest portion of the vast and teeming American World. Let them be warned by the example of the Church of Rome, which in seeking to enforce uniformity on the cold and comparatively unimpassioned nations of northern Europe, lost the best if not the largest portion of christendom. Let them not attempt in the vigorous image of the learned and reverend Deputy from Virginia, Dr. Andrews to force on our wide spread congregations a theological uniform like that of soldiers in an army reduced to one common undistinguishable level,—but rather let them encourage the growth of varied beauty like that of the sisters immortalized by the Roman poet, with faces not the same, but with a becoming likeness. "*Facies non omnibus una, nec diversa tamen, qualem decet esse sororum.*"

I beg that the clergy and the laity especially will go for toleration. If I proposed anything it would be that those two abstract propositions which recommend no action

should be laid on the table, but printed in the journal that the whole Church may read them for themselves and form their own opinion.

Rev. Dr. Mason:—I do not know that I shall go for the resolutions of the minority. They please me a good deal. I observe in human nature tendencies in things continually. I remember the time when the tendency of the Church was to disregard what is called ritual completely so as to run, I had almost said into indecency; but I will not use so strong a term. At that time it was the duty of every one to guard against these irregularities, carelessness, indifference to deportment, indifferent regard to veneration of the House of God, and the absence of public worship in that house. Then again, in the condition of mankind there is a tendency in an opposite direction. We find this is constantly taking place; and I am afraid that the tendency of things at this time is in this opposite direction; I would therefore by some proper means guard if possible against that tendency to the opposite extreme. I think that the Committee on Canons have done exceedingly wisely by refusing to bring forward a canon endeavoring to regulate these matters; and perhaps on the whole the resolution which the majority suggested is the better, but, as I said before, I am exceedingly glad that the minority have brought forward their report, and have shown the opinions to exist among them, which I confess are my own opinions too, that there should be a regard as to what is the proper character and condition of our Church. There are various kinds of religion. There is the purely intellectual religion. It was said of the character of the philosopher, that he was a pure intellect; when guilty of cruelty it was not the malignant cruelty, but as the absence of affection. There may be a sensuous religion which is employed in the gratification of the senses. I do not say sensual. Then there may be an emotional religion which tends to enthusiasm; and then there is the religion of symbols whose tendency is to idolatry and superstition; and there is a religion which combines intellect and the exercise of the affections which is true and proper religion, and this is accompanied with all the decency and regularity of character and deportment, and this I conceive to be the religion of the Church. It then avoids any excesses of sensuousness of symbolism which is apt to run into idolatry or superstition. Now, how far persons may go into what is called ritualism and yet avoid these things I do not pretend to say. But I say it is proper and right that we should do something to avoid that extreme which, I believe, we are going into. I have heard contest as to whether we ought to worship at the altar or at the table, whether lights should be brought on the altar or placed around it. I take it, if we go back to the institution of the Lord's Supper, we shall be able to determine something of this matter. There is no question but that our Lord ate the Last Supper at the table when He consecrated the elements. Did He sit there at an altar or not? If He did not, I cannot see how we can worship at an altar. Lights were unquestionably on the table, for what purpose? Were they symbolic or only for the purpose of the time at which the Lord's Supper was celebrated? Therefore it is not possible we should really point at that which our Church condemns, for instance transubstantiation or any other false doctrine of the church of Rome, unless the symbolism should

point out something of that sort. It is extremely difficult to lay your finger upon that point in which the thing should be avoided or may be allowed to be practised. Therefore I say it is very wise in the committee not to make a canon. Perhaps on the whole, considering the state of things, we ought to feel that the resolution of the majority may be more correct; yet I am rejoiced that the minority of the committee did bring forward their resolution.

Rev. Dr. HAIGHT:—As a member of the committee, as one who did not concur with the minority, I desire to say but a very few words upon this subject, and beg leave to refer to this one point, the reasons why I cannot concur in the views of the minority and why I cannot vote for their resolution. There are certain things assumed in the report of the minority and certain things underlie their resolutions which to my mind are not founded in truth or in fact. It is claimed on the part of the minority as we read in the first preamble "Whereas it has heretofore been one of the peculiar characteristics of this Church &c, that its worship and the mode of conducting it have been in all respects substantially alike.

I do not think, sir, that this is strictly true "substantially alike heretofore." Within the last thirty or forty years, until the last few years, in one sense they have been substantially alike; but will any man stand up here and tell me that the usages of the Church in Virginia were the same with the usages of the Church in New York, and that when a member of the Church of New York went into Virginia he found always the surplice, and always heard the Ante Communion service read, and always witnessed the administration of the Lord's Supper? Will any gentleman here say that when gentlemen from Virginia came to New York they found precisely the same worship in Trinity Church of New York or any of the old churches in New York as in Richmond and Frederickburg? We all know that is not the case and never was.

We have had one liturgy; but we have different uses in different parts of the country, not only in regard to these things I have mentioned, but also in regard to clerical vestments. I had the honor to spend three years of my life in the Diocese of Ohio. I am glad that I had that privilege. The present Bishop of Ohio was my diocesan, and I never felt for any man alive greater veneration, respect, and affection than I have for him, and which I shall feel to my dying day. But did I see nothing in Ohio which I do not see in the city of New York where I was born and spent all my life except those three years? I remember perfectly well in the Church in the Capital of Ohio at that time where there was an honored brother who was zealous for the truth as he held it, who would not wear any clerical vestments. He had no reading desk but a pulpit such as you see in the denominations around us. He would not wear either gown or surplice; and when the bishop of the diocese remonstrated with him, and told him that he should wear a gown, what did he do? He put the gown in a band-box and the band-box in the pulpit, and when he went into the pulpit he took out the gown and shook it and put it on. Is that the use we see here? [Laughter.] I claim that the broad statement made by my colleague for whom I entertain the highest respect is not founded in strict fact—that we never have reached the uniformity in regard to ceremonial he has



now claimed we have. There is another principle which underlies the whole report of the minority; that is the principle which my learned friend from Illinois has supplied, that this Protestant Episcopal Church in the United States of America is somehow or other a new church—that it is independent of and having no right to the glorious heritage of our fathers, the glorious heritage of the Church in the days of St. Paul, or in the days of those who in former years ministered at her altars in the island of Great Britain. I hold no such views as these. They were repelled by Bishops White and Seabury. Bishop White has declared again and again in the strongest terms that this Church, the Protestant Episcopal Church in the United States of America, is the Church of England in this country; and that all laws of the Church of England not expressly repealed in this Church are binding upon the consciences of the clergy; and if you do not admit this fact, you have no law upon the subject of marriage, binding upon the consciences of the clergy. In this view I have always had a clear beacon light in regard to this matter of marriage. I claim not to put my views as the standard of my brethren. I say that the idea which underlies this whole report is a fallacy. It is claimed that the ritual of this Church has been unchanged since the time of the American Revolution. I am not an old man, Mr. President,—I do not *feel* old—but I can go back a good many years in this city of New York, and in Trinity Parish in which I now minister and in Christ Church where I was born and trained under Bishop Wainwright until the time of my ordination. It is perfectly idle for gentlemen to stand up and talk of an unchanged and unchangeable order of the Church. What did you do in Trinity Church fifty years ago? You saw at the end of the Church a high pulpit, underneath it a large reading desk, and under that a clerk's desk. How was the service conducted? The organist died only a few years ago who played the first chant to which the Venite was sung in Trinity Church. The services—were they conducted by the whole body of the people as now? The clerk did the responding with his loud snoring voice, and the people sat back and quietly looked on. How was baptism administered? There was no font in Trinity Church. Back by the door in a pew, was a shelf, and there a basin. Public baptism was a thing scarcely known. Owing to the miserable customs that prevailed in the city, brought over from London, the baptisms were done in private. I have seen the bishop of this diocese baptize the child of a clergyman in his own parlor for no other reason whatever than that he chose to do it; and until the time of my ordination I never saw a public baptism in Christ Church. It was never done on Sunday; it may possibly have been done on some week day. Look at the change! Do you go anywhere without seeing a font? Is not public baptism the rule? and where do you find the old three-deckers? [Laughter]. The reading desk went long ago. The parish clerk, I am thankful to say, we have not heard from for forty years. It will not do to talk of unchangeableness in our mode of conducting Divine worship. I never heard the Ante Communion read except at the desk until in holy orders some seven years. In Trinity parish the clergyman never went to the Lord's table except on Communion Sundays.

I merely point out these changes to show that there are

fallacies underlying the views of the minority report—fallacies which render it impossible that those resolutions should be carried in this House.

I am and I trust I shall always be in favor of toleration in this Church. I was brought up in one sense at the feet of Bishop Hobart, and was taught to reverence him. I knew him as well as a lad could know a man of his high position. What was the policy of Bishop Hobart and all his successors? Did Bishop Hobart, Bishop Onderdonk, Bishop Wainwright, or Bishop Potter ever persecute a man because he did not agree with him in Church principles? No, sir.

REV. CHARLES BRECK:—I would say to the members of this House that I am the rector of a parish where the surplice was worn 230 years ago, and the surplice alone; they knew nothing about gown or band. I would speak a few words to my reverend and beloved friend Judge Conyngham. I came to the city of New York a year ago. I went to the city of Brooklyn and I went to the churches of the representative men of this Church. In the first place to which I went I found the services conducted precisely as they had been conducted where I was ordained, precisely as I conduct them in my Church. I saw nothing new; I saw no prostration, no bowing—nothing but what I had been accustomed to for the greater part of my ministerial life. In the afternoon I went to another church of the same stamp of Churchmanship, and there I found precisely the same worship and the same vestments that the honorable Judge [Conyngham] saw me wear in my church thirty years ago. Then in the course of a few weeks I was called upon to be in the midst of a large gathering of the clergy of the city of New York, in the church of the Holy Communion. There was a large number of them, nearly all of them of one stamp. I saw no new vestment—nothing but what I had been accustomed to all my life. I went the next day to St. Luke's Church where there was a large gathering of clergymen, and I saw no new vestments and no difficulty in engaging in the worship. I afterward went to Baltimore and went into a variety of churches and found the vestments all familiar, nothing new, nothing strange—nothing to alarm anyone. I make these statements, merely to show that we are not in such a distracted state as many gentlemen think. We may find things if we go and hunt for them; but I say there is a very sound and full uniformity among the clergy of this Church, and I for one am willing to abide by the rules and directions of the bishops of the Church. I am willing to submit to his regulations, his advice, and his admonitions. Therefore it is I feel warranted in repudiating the condition that these resolutions represent us to be in, and that there is not that difficulty of worshipping as we have been accustomed to worship all the days of our lives.

REV. DR. BURR:—Reference has been made by my distinguished friend the clerical deputy from New York, if he will allow me to call him so, to the practices of former days and he had references to Ohio as well as to other parts. I wish to inform him that whatever may have been the deficiencies in former days as to Ohio, they have been corrected as they have been in the city of New York; and that if he will honor us with a visit to Ohio he will find not only a great many old friends there

who esteem him most highly, but he will find that we are as rubrical and correct as any other diocese in these United States. He has given you an instance of departures from the order of the Church in regard to clerical garments. I wish to correct him and this House in regard to that matter, for it does reflect on a venerable and beloved brother who ministered at that time in the capital of the State of Ohio. I lived at that time within eight miles of the capital of Ohio; and I believe that I was fully acquainted with what was the practice of that venerable clergyman; and I say that I never heard of such doings or any such practices as my friend from New York has alluded to. I am sure that had it been the case, I should have known it, for I was in constant communication with him and his parishioners. We were exchanging, every month, and I never heard anything of that kind. I have known that clergyman to wear the gown regularly. Soon after he went there he preached in the first place perhaps a year or two in a German church, where there were no conveniences for wearing gowns or surplices or any clerical garments; and I presume at that time it was not worn; but afterwards it was, as I very well know. But that is neither here nor there. My friend has alluded to the defects in Ohio and in New York. Undoubtedly we have changed, and I trust much for the better in that respect; but I desire while on the floor to correct the misapprehensions that seem to be entertained with regard to the practices of the present day in Ohio. I deny positively that there is any essential difference, any essential departures from the strict order of the Church, in Ohio. It is a great mistake; we have been greatly misrepresented. Neither of our Bishops will tolerate any departures if they know it. I speak from what I know. I have ministered in Ohio nearly forty years; and I claim to know as much of that diocese as any other man, at least as any man that does not live in that diocese. It is not true as respecting her that there are essential departures from the strict order of the Church. We have been misrepresented. It is only a few weeks since I was published in the *Gospel Messenger* as having administered the communion without the surplice. I never did such a thing in my life except when we had no surplices, never except a few months ago in another church, Christ Church, in the city where I live. I went to administer the communion for a brother there and I found no surplice in his wardrobe. It had been left by mistake at his house; and I put on a gown and administered the communion. Some of my good friends there or somewhere else—I do not know and do not care to know—thought it an omission of such importance that it should be published in some Church paper; and it was published in the *Gospel Messenger* that a clergyman in the State of Ohio had administered so and so without the surplice when one was hanging in the wardrobe. I was told that I was the man. This is a true statement of the case; and most of these statements that go abroad against us are of this charac-

ter. They are not true in the least. Now, I sympathize with my friends who have brought in the minority report, because I believe the expression of this Convention, by adopting those resolutions, will have a tendency to bring about a greater degree of uniformity. I have always loved, through a long course of ministry in this Church, to see our services fully performed; and where I have gone I have desired to find the services and offices of the Church administered precisely as they are prescribed in the prayer book. I am glad that the subject of omission and defects has been noticed in both of these reports—in the resolutions attached; and I believe they will do good. I am not strenuous on the subject as to which of these reports shall be adopted. Either one I believe will do good. It will be the advice of the Church, the advice and opinion of this Convention, and going forth to the Church, it will I trust have an influence both ways. I am disposed to seek for uniformity in our worship, if it can be brought about. But to attain to that uniformity, I would not adopt anything that should have the semblance of intolerance. But cannot this Convention express its opinion decidedly as to the desirableness of uniformity, and will not that expression of opinion have a great effect in making us more uniform.

Mr. E. McCrady, of South Carolina:—I must beg leave to protest against the assumption made here over and over again. There is a good deal of assuming what is not so. I deny that this is the same Church as the Church of England. Are we any more the Church of England than we are the Church of Scotland? Does not every member of this Convention know that we do resemble the Church of Scotland more than we do the Church of England? What right have you to say that we are the same as the Church of England? As the Church of Alexandria differs from the Church at Jerusalem and the Church of Rome and the Church of Antioch, so we differ from the Church of England; we stand side by side. You must not say because we do proceed from her we are not otherwise than herself. Surely we are. If we are of strict uniformity at all, it is with the Church of Scotland. We do not belong to either the one nor the other.

Gentlemen argue this question of uniformity as if we were seeking uniformity of doctrine. Not so. We have the example of the Church of England for uniformity of worship. They have thought it necessary to pass an act of Parliament compelling them to be uniform. If the vestments in one case are proper they are everywhere else, not only proper but lawful and ought to be observed. Now here we ask for nothing more, but recommend uniformity of worship, not doctrine. Vary as you please. Vary as you have been accustomed to vary. Perhaps I do not agree with a hundred men in this body or half that number. I cannot subscribe to the one wing or the other; not that I stand between them; but I differ from either very materially. I deny the positions of both. Our object is uniformity of wor-



ship. We have no national body but this. All we ask at the present day is advice. Now it has been said whatever the Church of England now may do, we may do. By the same rule, whatever the Church of Jerusalem did, we may do; and whatever things any ancient Church might do, we might combine them altogether if we choose; it would be a very difficult thing to take all their liturgies and put them together and use them; but we are just as much bound to them as to the Church of England; we differ from them all. What says the preface of the Prayer Book: "It seems unnecessary to enumerate any essential point of doctrine." Now who can resist that argument? Who can fail to see the truth of that? They say what we leave out we intend. If you compare this with the Book of Common Prayer of the Church of England you will see wherever we differ this is our law and that is not. You cannot find the sentence which the English Prayer Book has about the vestments; it is not only in the acts of uniformity, but in the English Prayer Book near the preface, those vestments introduced in the time of Edward VI, should be enforced, should be in use now. That is a thing that is omitted in this Prayer Book; and you are told by this, compare this with the other and you will find the difference. The argument is conclusive that they did not intend to give any such thing. My ten minutes will not let me go further into the arguments. If the substitute is not adopted I shall have my chance to speak again when the other comes up.

Rev. Dr. MULCHAHEY:—The question as I understand it is on the amendment; and we are to decide whether we prefer the substitute proposed by the minority, or the report of the majority. I shall state, in a few words, why I prefer the resolutions of the majority; and I wish to say those words, not in the interest of any party or any section of the Church, but in the interest of that large body who are somewhat represented at least in this body, and who are largely represented in the Church at large—I mean the clergy in the country and in the smaller towns and parishes of this land. But, sir, I have wished again and again, as I have read the editorials from some of our leading Church papers in these large cities, as I have read the accounts of local rivalries, the congregational competitions, the questions that are agitated here, and that are thought to be agitated all over the country,—I have wished, I say, that these gentlemen who are so much interested in their local questions could only be omnipresent—that they could only have the privilege of going through the length and breadth of our land, and see how the clergy are working on in the spirit of their mission, in simplicity and fidelity, to build up this Church which they believe the Church of Christ. The clergy are working on alone in the small country towns and parishes. The people know very little or would care very little about these ritualistic questions. The papers come to them once a week with accounts of agitation in New York, with extracts from

the English papers about the agitation in the City of London, and they wonder what it is all about; and they open their eyes and ears to see and hear anything on the part of their clergymen—anything to indicate the tendencies towards Rome. I knew an instance several years ago where a church was emptied of half its congregation from the simple fact that the rector's friends had presented to the rector a bishop's chair made of pine wood (they could not afford black walnut) and stained in imitation of black walnut; and that it might look as much like a bishop's chair as possible, the friends who had it made, had placed on the back of the chair such a mitre as you see on the back of almost every bishop's chair. The clergyman was delighted, for he loved the Church, and he thought the people would be exceedingly gratified with the addition to the proper ornaments of the church. But in the course of the week he noticed the people looked at him with coldness, and that there was a want of cordiality in the greetings of his parishioners, and to his great surprise on the second Sunday he found the congregation was not half so large as usual. He went on Monday, as his habit was, to inquire of this one and that one what was the reason he was not at church, when what was his surprise to have them enquire "what is this dreadful thing—this Puseyism." One man in the parish had snuffed afar off, danger; he had read the papers, and had got an idea that there was something popish about the chair. Without going to the clergyman, he went to one and the other saying—"Here is Romanism introduced into this parish;" a few of the congregation remained away from the church because of the dreadful introduction of popish symbolism or something else. The report of the minority seems to me to encourage that kind of suspicion. The learned clerical deputy from New York, has said that there are assumptions underlying the report—the assumption of a universal agitation, a universal alarm. It is the recognition of that assumption which I should object to having scattered broadcast in all the parishes of this land. The clergy of the Church working in the spirit of the Master, in simplicity and fidelity, are looking to the General Convention in the hope that nothing will be done to disturb unnecessarily the minds of their parishioners—to disturb unnecessarily the confidence of their parishioners in them. I know it is easy to say that the minds of parishioners ought to be disturbed. In this great city of New York with all the forces that can be brought to bear to render the services of the Church more beautiful and edifying, it is easy to say that the people in the country ought to be alarmed at the introduction of superstitious and vain ornaments. But the great difficulty is to get the decencies of worship in the great majority of the parishes of the land. Talk about the danger of introducing extravagancies in the Church of God, when the great mass of people in this country are devoted body and soul to the worship of Mammon, and when they consider so much as is given to God as so much lost! I am not afraid of ex-

travagancies so much as I am afraid of the spirit of infidelity; I am afraid of this want of confidence in their appointed pastors. I am afraid of these things, and I do say that there is nothing more important for us to guard against than unnecessarily disturbing the confidence and unsettling the minds of the simple-hearted people who worship God in sincerity and truth all over the land.

Rev. Dr. DEKOVEN, of Wisconsin:—I would like to make a few remarks about the report of the minority. The first point to which I wish to call the attention of the House is an assumption there is in it which is calculated to convey at least a wrong impression. It is said in one of the resolutions "that this Convention affectionately urges upon all who have to do with the ordering of the appointments of public worship that they abide by the traditions and ceremonies of this American Church; that none other than the 'clerical habits' known to our fathers, and referred to by the House of Bishops at the General Convention of 1814, as appropriate to ministers officiating in the congregations, 'bands, gowns, and surplices,' with their customary appendages, cassocks and black stoles be provided." Now, the impression which that resolution gives to the public is that in the year 1814, the House of Bishops made some resolutions on the subject of the clerical vestments. It is not so at all. There came up to the House of Bishops a question as to whether lay-readers should wear any clerical vestments; and the House of Bishops decided that it was improper for lay-readers to wear certain clerical vestments, and they mentioned certain clerical vestments which they thought improper for lay-readers to wear, and those are simply bands, gowns, or surplices. They mentioned them as clerical vestments, not as a complete list of clerical vestments, for there is nothing said about either stole or cassock. What I want to say is this: the House of Bishops was not intending to give a catalogue of clerical vestments. I feel exceedingly glad that this minority did refer to 1814, because it gives me an opportunity of reading what occurs in the House of Bishops immediately under this matter. [The speaker then read an extract to the effect that the House of Bishops thought it expedient to make the declaration and requested the concurrence of the House of Clerical and Lay Deputies therein, that the Protestant Episcopal Church in the United States of America is the same body heretofore known in these States by the name of the Church of England.]

Rev. Dr. STUBBS, of New Jersey:—I wish to make a few remarks, to call attention as briefly as I can to a few general principles and views derived from the history of the past. We read in the Book of Genesis that the old patriarch Jacob manifested his love for his youngest child by clothing him with a coat of many colors; that his brethren envied him this gift of parental love, and finding him in the field, far from home they stripped him of his coat of many colors, steeped it in blood, and with a refinement of cruelty sent it to their

venerable father, and said to him, "See if this be thy son's coat." Let us begin, sir, as my time is short, from the day when Augustine went on his mission to England. He attempted to bring the British Church into perfect conformity with the Church of Rome. Contrary to the advice of the great Gregory who had a larger mind and a larger heart, the result of that measure was the destruction of those Welsh Bishops and the supremacy of Rome in Britain. As we come further down in history, we come to the days of the Reformation. What was the policy of Archbishop Cranmer. I have no special reverence for Archbishop Cranmer's memory, but he was a man nevertheless of large and comprehensive mind, and he knew he could not be the means of reforming that Church unless he comprehended in it large classes of opinions, views, and feelings. We all know from the articles of religion and from the liturgy, he endeavored not only to keep the Roman Catholic Church, but also to bring in the Lutherans and the Reformed Protestants abroad. What was the policy of Archbishop Cranmer? You know what his policy was. In the seven articles he was determined that that diversity should not exist; he was determined to bring the Church to one color, and that color was blood. What was the policy of Mary? The same. What was the policy of Elizabeth? A larger scheme, yet somewhat contracted. If we come down to the days of Charles I., we find there Archbishop Laud, endeavoring with all his talents, all his large heart, bigoted though you call him, endeavoring to introduce a varied ceremony in the Church. What was the policy of the Puritans against Archbishop Laud? It was this coat of rigid uniformity, and that coat was dipped in the blood of that martyr. Now, let us come down to the days of Charles II. Why was it that the large class of Puritans as they were called were driven from the Church? How did it happen that men like Baxter and men of his school were kept out of the communion of the Church? It was owing to the same narrow policy. The rulers of that day in Church and State had not largeness of mind enough to comprehend these men in the Church, and they were driven out of it; and from that time to this the schism has not been healed. If the Church's coat was not steeped in blood we know it was rent in twain. Reference has been made to the days of the House of Hanover. There you see the same narrow-minded course pursued. The consequence was the banishment of the Wesleys, and thousands and tens of thousands of their followers, all of whom could have been kept in the Church if the rules of the Church had been comprehensive enough to embrace them all in the Church's fold. Wesley never meant to desert his mother church. I have no particular reverence to that man, because after all, he was schismatic in heart. But he could have been kept in the Church if there had been a disposition to allow her coat to be of many colors. From that day to this there always has been the same result; wherever



you have made the attempt to insist upon rigid uniformity, there has been schism or there has been blood. In the formation of the Church in this country the same comprehensive scheme was carried out; it was the scheme of our great and venerable, if he may be so called, Bishop White. It was the desire to comprehend as far as he could all within the Church's fold; and hence from the beginning there was no attempt at all made to legislate upon this matter of vestments. His policy must be our policy. We are living in a large country. If we were legislating simply for the interests of one particular State, or one small island, then you might talk of making laws to insist upon uniformity in minor matters; but we are living in a country in which there are distinct nationalities; we are living in a country of every variety of clime and soil; and it is utterly impossible to legislate for this country upon a scheme of rigid uniformity. It is a small thing for us in the City of New York to attempt a set of rules to answer for this grand country extending over so many degrees of latitude and embracing men of every clime, nation, and tongue. Once more in reference to this Convention, I say it will make a fatal mistake if it attempts to pass any laws which it cannot enforce, and that it is not the province of this Convention to pass these regulations; it must be left to the different dioceses.

Dr. ANDREWS:—I do not rise to make a speech of ten minutes or of five minutes—and had I followed my own judgment should have made none at all, for three reasons, first, my unwillingness to raise a Cassandra-like voice amidst your felicitations, to which we have listened in so many reports and speeches; second, the impossibility of submitting in your way an argument upon so momentous a subject (more so beyond all comparison than any which has ever come before us from the beginning) within the space of ten minutes, which would be worth listening to. As for example in the report of the Russo-Greek communication which we have heard and passed with such rapidity, there was condensed more partiality in statement and fallacy in argument than could have been adequately replied to in ten hours. But especially do I hesitate to speak lest when some of the most precious interests of the Church are trembling in the scale, any prejudice should spring up either sectional, ecclesiastical, or personal, through which injury instead of good should result to a cause which I am so anxious to promote.

But since a justification of ritualism has been attempted by citing alleged deficiencies of order in Virginia and Ohio, I must answer to the first as Dr. Burr has already answered to the second. The clerical deputy from New York tells of the difference fifty years ago between Virginia and old Trinity in this city, but that difference was as the dust in the balance when compared with the difference between old Trinity and *new* Trinity. Old Trinity had an honest *table*, spoken of in the homilies required by the Church. New Trinity a solid altar, like

that with super altar and candles in presence of which we have been sitting for three weeks. Again, sir, my attention has been called to a recent plea for Ritualism in which as an offset to folly it was said that a Bishop in a neighboring diocese (meaning Virginia) went into the chancel throwing whip and hat upon the communion table, or some other act of irreverence. In an acquaintance of forty years with the diocese, I never heard of anything of the sort, and the Bishop himself assures me it is a slander; and can it be upon information of this sort that the report of the majority winds up with a seesaw resolution, coming down with greater force upon the heads of those opposed to the Ritualists than upon the Ritualists themselves. This is its language, \* \* \* —“The avoidance of the dangers of irreverence and lawlessness on the one hand”—(intended to apply to some who are opposed to Ritualism—nobody knows who—) “and of extravagance and superstition on the other.” Now sir which do you imagine to be the greater offence—*irreverence* and *lawlessness*, or extravagance and superstition? What is your opinion? And is this the report which conservative men of the Church are called upon to vote for? We asked for bread and they have given us a *stone*. Could I believe, sir, that *this* is all that can now be obtained—that after such prompt and vigorous discipline exercised here for a trivial and doubtful offence, no justice could be had upon such abominations as are exhibited without rebuke in St Alban's, I would go home with a heavier heart than ever before during a connection of twenty years with the councils of this church.

I can do no more than in the name of the oldest as it is one of the largest and most conservative dioceses, enter my solemn and indignant protest against Ritualism in the only form in which it is now competent to enter it—and that is by voting for the report and resolution of the minority, instead of those of the majority.

Rev. Dr. GOODWIN:—I begin with saying there are two reasons for which I might feel myself called upon to speak—one to deliver my own soul, and another to endeavor to attain some practical end. I have endeavored to deliver my own soul outside of this Convention; but I cannot sit here and hear the position of the minority report misrepresented, as it seems to me to be misrepresented, not intentionally of course. I rise to speak with very much of the feeling of my reverend brother who has spoken before me. I feel it is a most important, indeed a vital question. It is represented to us as if this was just like the former times, when improvements were made in matters connected with our public worship. Who ever objected to those improvements? Who ever made those improvements a battle-cry. There were omissions in those times. Did men form a party to carry out those omissions, and make them the law of the Church? If there were additions made by this and that man out of his mere whim and taste, I should think it scarcely becoming the dignity of this Convention to pro-

test against it. I think the case is clearly enough before us that there is a thing that all the world knows exists in the Church. It is useless to pretend that it is the whim of this or that man. It is a fact known in this world that there is a great revolutionary movement attempted, and here and there are the signs and symptoms of the movement. It is not a mere sporadic case; it is a revolutionary movement. The misrepresentation is upon another point—that this is a movement of intolerance. We have had here speech upon speech against intolerance, and against attempting by law to enforce uniformity. Nothing of the sort has been proposed. There is nothing here intolerant. If you will read those resolutions it is a statement of opinion in one case, and an affectionate representation in another case, and so on as expressing the mind of this Convention. What I feel most concerned about here is, not that a Church may be got up with here and there considerable ritualism which may carry a few into the Church of Rome (I believe they will go there when they have got on the track so far) but it is that while a hundred may go to the Church of Rome, being educated into this thing, and finding it there in its perfection, thousands and tens of thousands will be hindered from coming into this fold of Christ's Church. There it is that I stand, and there I make my earnest appeal to the conservative men of this Convention, to those who love the Church in its prosperity, that they will let the world know that what is alleged to be the tendency and condition of this Church is not true. That is what I ask; it is the appeal that I make with all the earnestness I have; and I should go home with sadness upon my heart, if this Convention is not ready, if there are not conservative, moderate, earnest churchmen enough to tell the world that we are not gone with the extreme ritualists as alleged; and I should feel relieved and thank God with all my heart if something of this sort could be done. I say it is not intolerance; it is affectionate advice; it is the expression of an opinion which will go out before the world, an appeal to the conscience of every minister of this Church. But his liberty is not impaired; it is not proposed to impair that liberty. I did not intend to make a speech, but did wish to correct this repeated charge of intolerance, and to make this earnest appeal.

Rev. C. C. PINCKNEY.—The very effort to discuss the comparative merits of these two reports necessarily has brought us down to these small, and low, and childish measures, while we have left out of view the doctrines of this Church involved in this movement, and the attempt against the doctrines symbolized by this. If it was merely a question of surplices or the absence of surplices, I should refuse to say any thing in this matter; but these are merely superficial—the occasion of those erroneous and strange doctrines which every minister of God deprecates. I trust that I can tolerate difference of opinion. Many of my hearers and most esteemed friends are men from whom I differ very much on all the promi-

nent doctrines—men who belong to the other wing of the Church. I am willing to yield to others the right to speak for themselves. I desire no rigid uniformity. But whenever doctrines are introduced into the Church, or attempted to be introduced, which I believe to be fundamentally opposed to the truth and the Gospel of Jesus Christ, and inconsistent with the very existence of the Protestant Episcopal Church, I am bound as a minister of that Protestant Episcopal Church to lift up my voice against it, and by all honest and fair means to do what I can to resist it and drive it from the Church of God—the Church to which I belong, the Church in which all my ancestors have belonged and have lived and died. We are members of a re-united Church. On every side I have heard in this Convention sentiments which have made my heart rejoice, and the right hand of fellowship has been extended to me by brethren from the East, and the West, and the North, and the South. We represent a united Church. That is the reason why I am so earnestly opposed to these ritualistic innovations, because they will surely prove an entering wedge which will rend asunder this Church. If we desire to maintain peace and unity we must drive away those erroneous and strange doctrines upon which Christians differ so widely that it is impossible to live in peace and harmony together if they are entertained and held. The resolutions of the minority seem to me to condemn them perhaps as strongly as it is wise for this Church now to do. I do not ask legislation, but an expression of opinion. Let it go forth that the moral weight of this Convention is against these things, and that we do think they are contrary to the acknowledged discipline and worship prescribed by the Protestant Episcopal Church in the United States—that they are contrary to the doctrine and established history of the Church of England ever since the reformation. And does not history teach us that from the third century, when these things began to be introduced into the Church, they were the cause or the effect of corruption of doctrine in worship and practice? Does not experience testify that they have been evil, and only evil continually? Thank God that there is a revival of interest in the worship of the Church. It seems to me that the arguments which have been used with reference to neglect of the Church in days past applied as strongly to one wing as the other. It is not just to go against one portion of the Church. It is not just to bring against one portion those things which the Church was compelled to wink at. I beg the members of this Convention to consider whether we can not upon such general principles and practices harmonize in our ways so that we may all unite as brethren of a great Church, and go on advancing on our paths of usefulness, prosperity, purity, and peace. I must say that my experience differs from that of the delegate from Delaware. He says he has never seen any thing which showed any departure from our worship. I have. I don't speak of St. Alban's. I have seen that in many Episcopal



Churches in the last two or three months, which forbade my worshipping in peace and comfort there, and that I must be compelled to decline to take part in their mode of worship if they expected me to conform to what I considered their unlawful observances. There is difference of worship creeping into the Church, and here is an opportunity to do something to check it and restrain it, and endeavor to produce that uniformity in Christian worship, which will also indicate that unity of doctrine and faith which will make us what we desire to be—one heart, one mind, one united Protestant Episcopal Church—desiring to maintain the truths which our ancestors have transmitted to our care, and which I trust in God we may have grace and wisdom to communicate to those who may come after.

Rev. C. B. WYATT, of California.—When all has been said and done, will we not be likely to find that the one common ground is that which has been recommended in each report, referring the whole authority in matters of ritual as of old to the ordinary. It would be found immediately that resolutions which were to go into particulars with respect to this matter could not be made thorough enough to answer the purpose, even though it were only the subject of the ritual that we teach; but if it go beyond, as suggested by the reverend gentleman who has taken his seat, and we attempt to rule also as to matters of doctrine, there would be no end of such legislation. It has been shown already that a resolution like those proposed would not be strong enough to bring a clergyman to trial thereunder for any breach of such a resolution. That has already been shown. I believe were it a canon that we now proposed to make, it might be equally ineffective. Suppose a clergyman brought into an attitude of collision with his bishop on this subject; it is for the bishop after all to interpret and understand those resolutions. I call the attention of gentlemen to the ordination vows which we all take, and which every clergyman regards as solemn and as binding as any vow he can make. To what does the ordination vow pledge our bishops? To the canons and rules of this Convention? It will be found that the only reference to such canons is as they designate the supreme authority to whom we owe obedience; and that last vow is simply that we will always render obedience to the constituted authority set over us, and follow their godly admonitions. Let it be supposed for argument's sake that we might have a fanatical bishop—one disposed to override all the sentiments of his people—who should prohibit every clergyman from bowing at the announcement of the holy name of our Lord and Master in reciting the Creed, I would have every clergyman in that diocese humbly and readily obey the bishop in that; it would be better for the discipline of the mind, and better for the order of the Church throughout the land that they should thus humbly and quietly obey the bishop. It would be better for that bishop, rather than that the practice of his clergy should differ from his recommend-

ation, that he should go to his private devotions thinking that every clergyman in his diocese had refrained from doing what the emotion of their hearts prompted and the teachings of their faith had inclined them to—had refrained simply because compelled by him. Before he had passed the night-watches he would be a better bishop.

It would be perfectly impracticable to enforce any rule of this kind so as to secure any thing like good order throughout the country. Let the authority in this matter rest where constitutionally by the laws and regulations of this Church it now rests. No man who understands what is meant by the Episcopal Church can challenge that position. Demonstrate that this responsibility rests with the bishop—that for every departure from the regular order of the Church in that diocese the bishop is responsible—and then it remains only that our Right Reverend Fathers in Council assembled shall agree among themselves as to what liberty is to be allowed to ensure such a degree of uniformity throughout the dioceses, and territories, and jurisdictions in the United States as may be compatible with the doctrine, and worship, and discipline of the Church. And more than that no good man desires.

Rev. Dr. F. D. HUNTINGTON, of Massachusetts:—We are gradually approaching a vote on this question. But the way is not clear. What is it precisely that we propose to do by that vote? Undoubtedly our particular business here is legislation. Are we asked then, by either of the two reports lying before us, to perform a legislative act? On the contrary, it is not presumed, in any quarter, that the adoption of either one of these reports will have the force of law, will control anybody's mind, or regulate anybody's practice. In fact one of them expressly affirms that the enactment of any canon at present on the subject of ritual would be "unwise and inexpedient." We are therefore not only about to effect nothing in the way of creating an obligation, or bringing about a practical result, but the resolutions do not even contemplate any measure at all; they do not so much as initiate an investigation, or raise a committee of inquiry or consultation. Certainly we are not expected in this House to issue a theological treatise, or to originate a rubric. All we shall do by adopting either of the reports is to express an opinion. We shall notify the world outside what we, a number of individual clergymen and laymen, enough of us to make up a majority on this particular day of this particular year, *think* about ritual. The ground is made narrower yet. For we are obliged to say what we think, on a matter so vast, so complicated, so far-reaching, involving so much careful scholarship and so much discriminating thought,—in one of two prepared documents brought in here, the one by a majority and the other by a minority of the Committee on Canons. It is no disparagement of their authors, or of the excellent language they have chosen in the composition of those papers, if we hesitate to take just these words, and all of them, and no other,

for the utterance of our individual opinion—of what we think, or opine—even on the external habits of Christian worship. There is a great difference between the compact terms of canon law and the more diffuse contents of declaratory statements, largely rhetorical, like these. If the members of the House consider it compatible with its dignity, or what they were sent here for, to issue to the public some inefficient generality of this sort, necessarily leaving the whole condition just as it was before, I am sure I shall interpose no objection, although for my own part I would rather have nothing to do with it.

If, however, being shut up to these two declarations, I am obliged to say what I *think* in the words of one of them, then—though I really have no idea that the public cares a straw what my opinion is—I must choose that one which most nearly expresses my own mind. In both the reports I find some things with which I heartily agree, and other things which do not commend themselves to my judgment as well. Let us come to the vital point. It is found especially in the fourth resolution of the minority report, and I confine myself to that. The resolution reads as follows:

*“Resolved, That in the judgment of this Convention, the House of Bishops concurring—the burning of lights in the order for the Holy Communion, the burning of incense, reverences to the holy table, or to the elements thereon, the elevation of the elements, making the sign of the cross, except when prescribed in the Rubric in and during divine service, or the celebration of the Lord’s Supper, are innovations on our mode of conducting public worship, offend against the common order of the Church, and wound the consciences of many of its true and loving members.”*

Now I like that very well, because it speaks out frankly and plainly, saying just what is meant to be said, and giving us something palpable and tangible. In place of this, I find in the majority report, on the third page, an elaborate sentence, drawn with painstaking and evident deliberation, aiming apparently to intimate something good, without quite saying it. I think I understand what it is that is not said; but whether I know what is intimated, I am not so sure. The language of the minority resolution is preferable to me, because on the special point where we can be expected to utter any opinion to any purpose whatever, it is explicit. Trying to make my practice accord with my thinking, in my parochial ministration, I find myself always omitting, as a matter of course, because I think they ought to be omitted, all these things mentioned. And so, being called upon to express an opinion here, I want to express it in some definite form of words; that is, to say something, and not merely to seem to say something under the disguise of a handsome circumlocution.

It would be easy to give reasons for this opinion. What is affirmed, in the last part of the resolution, of the practices specified, appears to me to be an obvious truth, without exaggeration, and undeniable. Besides all those practices, as I believe without the least

doubt, (unless the first be an exception) sustain an objectionable relation to a system of “erroneous and strange doctrine.” They are of the nature of symbols. Symbols are as truly a part of language or expression as words are, and sometimes far more effective. They are signs of thought and feeling. Visible acts and things made a part of Divine Service in the Church of God, enter into the sphere of the *Ecclesia docens*, and the *authority* of the Church is responsible for them. I know very well that it is denied that these acts enumerated do symbolize false doctrine. I would judge no man’s mind, and by no means coerce or restrain any man’s lawful liberty, in respect to all those variations in worship which do not touch one or other of the three great universal notes and essentials of the Church Catholic,—creed, ministry and sacraments. But we are dealing here with opinions, and are required to express our own. It seems to me nugatory and useless to deny that taken together—as men will practically take them—these usages are symbolic and by inevitable associations, related to a system of teaching not primitive, not Scriptural, not true. And it is a familiar principle in Christian ethics that in estimating things morally, we must take them in their relations as well as in themselves.

[What is wanted, unquestionably, above all else, in this vexed subject, is that the Church, in her wisdom, should draw a fixed line between those ritual customs which do and those which do not signify error of doctrine; for then many harmless things which the popular mind now confounds with evils forbidden would be cleared of the complication, and would be done, if at all, with an honest conscience, while other things, beyond that line, could then be resisted with a united front, and with tenfold power, because with confidence and by authority. No such line is yet formally drawn; no such stake, beyond which “tendencies” must not go, is yet set; and meantime we must decide and act, each for himself, with the Prayer Book in his hand, with due deference to the ordinary’s direction, and to the “common order.” For one, I have no question on which side of such a line, in a true directory, these practices enumerated in the resolution, would be found to lie.]

Another reason why the matters mentioned in this fourth resolution seem proper to be mentioned as they are, is that they do not, as I conceive, belong to us as a reformed branch of the Church,—the Reformed Catholic Church if you please,—but reformed. There was a reformation. It had a history and documents. There were reforming men. Those men comprehended, I think, the whole issue which drained the blood out of their veins and burnt up their bodies. They knew the system they fought against, in the struggle that cost such grand martyrdoms. They were scholars as well as heroes, and knew the doctrine and worship of the early Church, at least as well as we know it. They knew it well enough to overthrow the Romish assumptions and



the Tridentine doctors, in the historical argument. Now, as I read the records of that Reformation, in the successive revisions of the Book of Common Prayer, in the Royal Injunctions, in the Articles of Visitation, in the biographies of the men and their grand debates with both Papist and Puritan, all along from 1534 to the days of James, it becomes plain enough to me that these practices here mentioned were among the things which, on the whole, the Anglican Reformers meant to put away; that while they were never mistaken for the false doctrine of the Sacrament to which they pointed, they were seen to have such relations to it that if that doctrine was to be rejected these accompaniments and signs must go with it; that, gradual and irregular as the progress of purification was, it was as clearly Protestant in respect to these external signs as it was primitive and comprehensive in respect to all its positive and Catholic principles; that it involved in its whole character and import the removal from the Church of both the outward and the inward part of that dogma of Transubstantiation which had no place or appearance in it before the eighth century, and no sanction of Council till the last Lateran, early in the thirteenth. Nor can it be claimed that the subsequent history of the English Church, making full allowance for the known distinction between Parish Churches on the one hand and Cathedral and Collegiate Churches on the other, leads to any different conclusion,—as the recent decisions of the ecclesiastical courts and commission, including that of Sir R. Phillimore, will show. Not all the matters here reprehended are there prohibited; nor are the English decisions a final rule for our Church in this country. But the principle is fairly recognized. And the “common order” of the American Church hitherto is a testimony still more conclusive. [Were there space for it, I should be glad to give some completeness to these observations by referring briefly to other reasons, as that the innovations in question do very extensively and unhealthily agitate the minds of our people; that, for the present, they intensify needlessly the prejudices that oppose us without, preventing hundreds from seriously examining the claims of our Church on their belief and acceptance, while they do not move Rome towards us a jot; that they create suspicion and distrust in considerable numbers of the laity, cooling their zeal, checking their liberality and reducing—unreasonably as I think,—the treasuries of some of our noblest and purest charities; that they aggravate party-divisions; that they disturb sometimes the simplicity and cordiality of that tie between the Pastor and his flock which is the blessed condition of half our prosperity; that they draw off the attention and the conversation of thousands among us too much not only from the weightier matters of the law but from the graces of Christian spirituality, from the fundamental realities of a holy character and the disciple’s personal communion with Christ his Saviour dwelling in his heart by faith; that they diffuse through

our congregations a too prevalent atmosphere of criticism, conjecture, gossip and fault finding, one way and another, on things which, after all that can be claimed for them, pertain assuredly rather to the manners than to the inward life and power of the Body of our Lord and the Everlasting Faith. It is the distinctive *ideas* of the Church,—her doctrine, her truth, her Churchly work, her humane and merciful activities, her training and her ministries, that need our chief concern and our loyal, enthusiastic, united support. With a worthy consciousness of her Divine commission just as she is, and of the boundless capacities of blessing that lie undeveloped in her breast and in her hands, and with a more reverential and cordial use of the rich resources of liturgical impression and common worship that are contained in her system and sanctioned by her rubrics, who can measure the religious influence and the moral glory of her history in the years to come?]

Mr. FAIRBANKS, of Tennessee:—I think there is a large body of conservative Churchmen in this Convention who desire to act upon this question according to the best light, and who desire moreover to do nothing in reference to this question which will in any way jeopardize or endanger the interests of the Church. It seems to me that the Committee on Canons have departed from their uniform conservative character. After they have reported upon the question that they deem it inexpedient to pass any canon, they then go on with a declaration on the subject; and I think the declaration of the majority is as objectionable as the resolutions of the minority, for both are declarations in certain directions. I believe it would be more satisfactory to the large body of this Church, if that portion of the resolution which they introduce on the third page were stricken out after the words “would be unwise and inexpedient,” down to the words “that in all matters doubtful, for the avoidance of unseemly disputes and contradictory practices, which tend neither to good name nor to godliness, reference should be made to the Ordinary, and no changes should be made against the godly counsel and judgment of the Bishop.” I think that would be in accordance with the general conservative character of this Church, that it is inexpedient to enact a canon or make a declaration. Leave the matter in the hands of the respective Bishops for them to regulate under the sense of responsibility. I think this view of it would be far more satisfactory to the great majority. There is an agitation of Ritualism\* which we can not ignore; but whence does it come? I venture to add that if you would suppress the Church newspapers, you would suppress nine-tenths of the agitation. The agitation comes from these great centres—Philadelphia and New York. Go down into South-western or North-western dioceses and you find Churchmen are too busy to attend to Ritualism. They are busy drawing in the children, carrying on their rightful business and avocations; and they are not entering into this disension. It seems to me that un-

due importance is given to the subject—that a single parish in one of the leading States is able at present to set the whole country on fire by some peculiar usage in that Church. The other day I saw in a leading newspaper of the Episcopal Church, a statement to show that the thing was spreading, and it named how many churches—three: one in the city of New York, one in the Diocese of Pittsburgh, and a little affair in the diocese which I represent—Tennessee. If the first two have no more significance or importance than the third, I would say that this Convention is wasting its time miserably in giving any attention whatever to so small a matter.

Rev. Mr. SPAULDING, of Pittsburgh—moved to amend the report of the minority by striking out the second and third resolutions. He did not see that they added anything to the force of the report, and thought that they were objectionable to some members of the House.

Rev. Dr. PINCKNEY, of Maryland:—The catholicity of the Church causes me to tremble on the threshold of any such discussion as has occupied us. It was made to be the home of all; and I think we ought to pause and calmly consider before we adopt any course of action which would have a tendency to unfit the body to be the home of all. It seems to me I must choose one or the other of those reports; and I share very much the views expressed by the gentleman from Massachusetts. It is a mere proclamation of opinion, and I would vastly prefer not to be called upon to express my own individual opinion in a body where I have an official position. I do not myself approve of burning lights or incense, or of reverence to the elements on the altar. It seems to me, however, that with pre-eminent caution and wisdom, the majority have met the difficulty, for they declare that “so far as may be, steadfast adherence to such vestments, ceremonies, practices, and ornaments, as, by reason of long-continued use or by authority, are recognized as properly belonging to this Church, avoiding errors, either by excess or by defect.” My objection to the fourth resolution offered by the minority is that while they have eyes to see defects on one side, there is nothing whatever said of the defects on the other side. I have rejoiced in being permitted to serve the altars of the Church according to my honest convictions of what is due to the Church and the people over whom I have been placed, without being called upon to express any opinion or invoke any discipline on either side of the extremes. I have only to speak by report; I have never been where things are practised that I deem wrong. If we are to vote and elect between these two, the report of the majority comes as nearly to the point as is possible. I should be sorry to vote against the minority because then it would seem I was voting against an expression of my personal opinion. The bill of indictment is so indefinite I should not like to express an opinion about it. I hope if we are compelled to adopt either, we shall take the majority report.

Rev. Mr. DASHMELL, of Maryland:—hoped the whole matter would be indefinitely postponed.

Rev. Wm. C. WILLIAMS, of Georgia:—It seems to me we ought to pause. We cannot regulate this matter by canons, still less by resolutions. All our laws so far as these matters are concerned must be in the rubrics or they are null and void. If you adopt your resolutions what will be the effect? Will any man who is in the habit of adopting these things condemned in both reports, cease them? We all know perfectly well that no man will change at all when he claims that he is right, and that he does it from conscientious motives. If gentlemen are ready to act, let us put it in the Prayer-Book; make your rubrics, and then you can say to a man, You shall not transcend the laws of the Church. Until this Church is prepared to make her rubrics, it seems to me strange to be sending forth resolutions absolutely worthless. I have no sympathy with any movements of the sort. In the diocese which I have the honor to represent, we know nothing of such practices, and we expect to know nothing. These matters must be regulated if at all by the dioceses in which these practices are found. Pass your resolution to-day, and what will be the effect in the Diocese of New York? Will it give peace? or restrain any man? Not at all. I therefore second the resolution to postpone.

Mr. Wm. CORNWALL, of Kentucky:—The reverend gentleman from South Carolina, put the true question first; it is a question of doctrine. If it is a question of doctrine, my judgment is that the canon which was passed at this session and to-day ratified by the House of Bishops, is sufficient to regulate that great and important subject. If it be a question of rites and ceremonies I should concur with the report of the minority, even in the fourth resolution, with the exception made by the Rev. Dr. from Massachusetts. But there are decisions in the English Courts, which I understand go against the spirit of this resolution. There is one exception; I believe it to be improper to burn any incense but when the sacrifice was which typified the great sacrifice. I think that this Convention should hesitate before deciding unlawful the things which have been decided lawful in the English Courts. Then, while I cordially adopt the entire report of the minority of the committee—and they do not differ from the majority so far as I can see except in the enumeration in the fourth resolution—while I adopt it entirely, yet there are statements in it which I could not subscribe to as being true, and therefore would not vote for them under any circumstances unless I had the privilege of claiming that rites and ceremonies should not be in all ages alike. We know from the scripture that the first ritual was that the passover should be eaten with the staff in hand, all ready for the journey, and everything as if the people were in haste. We know our Lord kept the passover with the staff in hand but reclining. There is an instance that rites and ceremonies, need not be always



Wednesday, October 22d, 1868.

The House met pursuant to adjournment.

Morning Prayer was said by the Rev. Mr. Clarke, of Georgia, and the Rev. Mr. Hanson, of Alabama.

The Benediction was pronounced by the Bishop of Iowa.

On motion of Rev. Dr. Mead the House concurred with the action of the House of Bishops in fixing to-morrow evening, 7½ o'clock, as the time of the closing services at Calvary Church, corner of 21st street and Fourth Avenue.

Rev. Dr. HAIGHT, of the Committee on Canons, to whom was referred Message No. 34 from the House of Bishops, repealing the proviso in the last clause of Canon 10, Clause 1, Title I., reported a resolution of non-concurrence; which resolution was adopted.

Rev. Dr. HAIGHT reported from the same committee a resolution (adopted) against the prayer of a petition that all new dioceses should form their standing committees of an equal number of clergymen and laymen. He said: In regard to this matter I have to observe to the House, as they all very well know, that of late years there has been no deviation whatever from the ordinary practice of forming standing committees in this way, of four clergymen and four laymen. So far as we know there are but three exceptions—one of the diocese of Connecticut—which has never had a layman in the standing committee from the days of Bishop Seabury down. Their standing committee consists of five clergymen. The standing committee of the diocese of Maryland consists of eight clergymen. But as a general rule—I believe universal of late years—there have been four clergymen and four laymen. The committee do not think it expedient to pass a resolution which might seem to reflect upon those dioceses. There is no evil complained of. The dioceses formed of late years all conform to what is now the general principle. [The resolution was adopted.]

A resolution from the Committee on Canons with reference to a certain amendment of Canon 14, Section 1, Title I., was adopted.

On motion of Rev. Dr. Howe the House proceeded to fill the vacancies in the Committee to examine the proof-sheets of the standard Bible; and the House confirmed the nomination of Rev. Dr. Hare and Mr. James Pott.

Hon. S. B. RUGGLES.—I propose the following preamble and resolution:

*Whereas*, The General Convention of the Protestant Episcopal Church in the United States of America are fully invested by its Constitution with supreme and independent authority to establish, and in its sole discretion from time to time to alter or add to, a Book of Common Prayer, administration of the sacraments and other rites and ceremonies of the Church in the United States and to be used therein, with like authority and direction to prescribe, add to, or vary any of the rubrics or rules in respect to such rites and ceremonies, and in the exercise of such supreme authority is in no way dependent

alike. Our thirty-fourth article says: "It is not necessary that traditions and ceremonies be in all places one or utterly like; for at all times they have been divers, and may be changed according to the diversity of countries, times, and men's manners, so that nothing be ordained against God's word."

Rev. Dr. HARE—said he did not remember any place in the scripture where the manner of eating the pass-over was made a standing ordinance for the people of Israel.

Mr. CORNWALL:—I have only to say with reference to that, all the commentators and historians are against my reverend friend. The Israelites ate the passover in haste, and when they entered the promised land, they ate it reclining. Furthermore they ate it with bread and bitter herbs, but subsequently added the wine; there is another change. It was declared that the Israelites should not go uncovered into the presence of the Almighty; yet St. Paul declares that you shall not be covered in the presence of the Almighty; that if a man is covered it is wrong, but a woman shall have her hair as a covering. I mention these things to show that the report of the minority is erroneous in the statement of historical fact. I cannot vote it is true. But if you ask me to vote upon a doctrinal question, I do not know that there would be any difference of opinion between my views and those of the minority. Both of these reports condemn Ritualism. So do I. I should call on the proper authorities of the Church to enforce the discipline and purify the Church. We cannot do it by this Convention, by any resolution. We do not propose to do it. The unmeaning rite or ceremony is nothing; but the false doctrine that is pointed at can not be reached by denying the ceremony. I have heard it from the highest authority, that there are churches where all the false doctrines of the Roman mass are taught. How can you remove false doctrine by removing some article of furniture. I do not think it would be wise in this Convention to go indirectly into that point.

Rev. Mr. STRINGFELLOW:—I have no personal interest whatever in the issues that are at stake, only so far as the good of the Church is concerned. I would prefer that the gentleman should withdraw the motion to lay on the table, that I might have the liberty of offering a substitute for the report of both the majority and the minority, in order that the House might distinctly say whether it would meet the wishes of some of them, because I am satisfied that there are things in both reports objectionable to many members of the House. There are things in the majority and the minority reports which I am not willing to vote for. If I am simply compelled to decide between them, I shall have to vote for the majority report. If the gentleman will withdraw his motion, I would like to read the substitute.

The PRESIDENT:—You can offer it as an amendment.

The proposed substitute was then read.

On motion the House then adjourned for the day.

on or subject to any action or decision of any ecclesiastical body or tribunal in any foreign country; therefore—

*Resolved*, That in view of such independent authority and effectually to compose any prevailing differences in the Church in the United States and secure its godly quiet, the House of Bishops be and they are hereby respectfully requested to submit to the General Convention at its next triennial meeting such form of rubrics or rules in respect to such rites and ceremonies within the limits of a wise tolerance as in their judgment may be necessary for conducting the worship of the Church in a decorous and orderly manner, and in harmony with the established doctrines and highest interests of the Church.

I would ask leave to spend a few moments in explaining this, if in order.

The PRESIDENT.—That is ruled out as a new matter.

Mr. RUGGLES.—I ask to lay this upon the table to be called up.

The PRESIDENT.—It can not be in order during this session.

On motion of Mr. Welsh the order of the day was taken up.

Rev. Dr. PADDOCK.—Do I understand that the question of indefinite postponement is now before the House? (The PRESIDENT.—Yes sir.) I desire to say one word upon the subject. The question now before the House, as I understand it, is the indefinite postponement not merely of the minority report, but with that also the report called for convenience the majority report of the Committee on Canons. If I understand it, it is proposed, after sundry memorials have been referred to this House, signed by most influential names, after these memorials have been referred to a committee, and after that committee has devoted a very considerable portion of its time to this question, after a report has been presented by all that committee save two (the committee consisting of eleven), and after the report of the two has been spoken to, and all remarks immediately bearing upon the report of the majority have been shunt off as out of order—it is proposed by this one plan to swamp both reports; and because the House may not perchance be pleased with the minority report, to include in it the swamping of both reports, although the majority report has not had a chance to be discussed. It seems that there ought to be good reasons given for such an extraordinary course of proceedings. I grant at once that in the rambling arguments—I think they have been such—which we have heard, which have gone over the whole ground, something has been said indirectly touching upon the majority report. We have heard explanations legal, touching the whole question of the English law, which is not once touched upon in either report directly; we have had explanations critical offered, touching some of the most difficult and contested passages of Scripture, by some of our most learned laymen; we have had arguments historical, tracing the whole question all the way from the Book of Genesis down to the last records of the diocese of Ohio—every shape of the question from the ritualistic controversy which prompted the brethren of Joseph to strip their poor brother of his vestments.

We have had all these points brought up; and yet the majority report has not been at all discussed.

What are we to gain by this convenient resolution which proposes to sink them both out of sight? It may be said that there is no need of any report upon the subject. That ought to have been said before we began. It is a sad time, after this Convention has occupied two weeks in considering this subject, to claim we do not want to say anything about it. After discussing it, it is not worthy of the Convention to withdraw it from the Convention, as if either it could not be touched upon or else the Convention does not think it worthy of any mention, whatsoever. It will do us an immense injury to come up and look this question fairly in the face, and then shrink from it. Our ears will be made to tingle for that this Convention, with a question before it than which there has been no greater in the last generation, has shrunk back from it, and has not a word to say, lest it should produce some ill-feeling. Ought we to fear ill-feeling? I am sure that the prayers of the Church have been answered, and that the spirit of God has literally rested upon and in the hearts of all the members of this House. I challenge contradiction when I say that in all the records of debate, there has not been the instance where there has been so wonderfully harmonious and beautiful a spirit prevalent as in this House during this entire session. We have had answers to prayers, uttered for the control of the Spirit of God. Every man has spoken under the abiding conviction that the Spirit of God was among us, and that we must be careful of the vehemence of our tongues or the earnestness of our hearts. I do not believe that there is a man in this house to-day that has, for one moment, proposed to allow either the earnestness of his heart, or the vehemence of his tongue, to lead him into such earnest, vehement, over-excited expressions as might seem—if I may venture upon such a figure—to deaden the sound of the rustling wings of the guardian angels, whom, I verily believe, God has given charge concerning us, that we, as a council, dash not our foot against any stone. Ought we not to consider this question? Will gentlemen say that, because no canon is passed, therefore nothing is done? Are gentlemen, who were present in the last General Convention, to rise and talk about the joint resolutions of this House and the House of Bishops being mere *bruta fulmina*, that nobody cares for? Is it not on record, on the last page of the General Convention, that the sense of this House was expressed by precisely such a general resolution, which conveyed the mind of the Church as distinctly as any law, touching the incompatibility of clergymen bearing arms? And was it not argued that the expression of this House, by a joint resolution, would avail in our National legislature, to prevent clergymen from being forced to bear arms? Are we to be told that all that is said by joint resolution—that all the utterances of this House that are not put in the thunders of Sinai—that are not commands, with penal-



ties attached—are of no avail, and nobody will care for them, and that the mind of this House, if expressed as the distinct, moderate, charitable, kindly, and yet firm, utterances of the House of Bishops and the House of Clerical and Lay Deputies, is of no sort of use—that it is mere empty wind? God forbid that we shall ever see that day come. God forbid that this Convention shall, by an indefinite postponement of these resolutions, both of which are worthy of respect, and with either of which I should be, reasonably satisfied—God forbid, I say, that it should justify these reporters in sending it out to the land that nothing that is said by the House of Bishops and the House of Clerical and Lay Deputies is worth anything, or will restrain any one, unless we make it in the language—"Thou shalt not," and affix a penalty. I hope, in fairness to the report of the majority, considering the admirable temper of this House, in which there has not been an angry word, that we will be willing to vote upon the minority report, if we do not like to vote upon the majority report.

REV. DR. VAN DEUSEN:—I certainly take great pleasure in concurring with the remarks of the gentleman from Michigan, [Rev. Dr. Paddock] in regard to the summary mode of putting these reports out of consideration. It seems to me not respectful to either the majority or the minority. If neither of those reports can command the support of this House, there certainly should be found something as a substitute. It is evident, there is a great diversity of views on this subject. There is a difficulty in the minds of many men in this Convention in voting for either of the reports, though we may concur in the general principle of those reports. I do not think there is a great diversity, but there are some insuperable objections to both. It seems we may find some guidance for our action in the former history of this House. We have been told that this is not a question merely of rites and ceremonies, but one of doctrine. We have also been told that there are only three churches with the "advanced rituals;" and it is not for me to deny the statement. I am willing to go further, and acknowledge that there is not involved in these rites and ceremonies a denial of the fundamental doctrines of the Church, or an assertion of that which is questionable. Is this the first time that the Church's doctrine has been denied? Is it the first time that this Church has been convulsed, from one end to the other, with questions of faith? I think not. I think I can call the attention of this House, especially the older members of this House, to such a case—to the discussion, in the Convention of 1844, upon the subject of the Oxford Tracts. I believe it certainly did convulse the Church at the time; that the church was all aflame with excitement, from one end to the other. It was an excitement that had been produced by the distribution of these tracts throughout the American Church, during a period of some ten or twelve years; and it culminated in the action of that Convention. The subject was brought forward, and referred to a committee; that

committee made a report; the report was discussed, with the several amendments presented, for six successive days. No one who was a member of that Convention can but remember the intense excitement.

I well remember, too, when the present diocesan of Maryland was elected to that diocese as its Bishop, that a member of the Convention rose in his place and protested against that election, and pictured the very alarming consequences that would result from his election. What was the actual action of the House in regard to that important matter—a matter involving, as I humbly believed, consequences, if truthfully stated at the time, far more threatening than all that has been threatened by all the advanced ritualism in this country or in England? It seems that action was almost unanimous, and I humbly present that action to the consideration of the House, in determining our action upon this subject. It seems that action was almost unanimous. What was it? It was in the form of these two resolutions, based upon two principles: one, that the Church has already asserted sufficient standards for her doctrine; the other, that this House has no privilege of trying her clergy, whatever may be their offences—that they are not amenable to its jurisdiction—that it is not competent for this House to take into consideration the doctrines of any one of her priests. My own personal feeling in regard to this matter is simply this: I do feel embarrassed in regard to these two reports. I am not willing, by my vote, to be placed with that class of clergymen who are, on this floor, the advocates of an advanced ritualism; nor with that class of clergymen who are disposed to prescribe one fixed standard of uniformity in all cases and under all circumstances. I prefer, as remarked by the learned Deputy from Illinois, to leave this question where it is left by the Church, and where, in one of the resolutions of the majority of the committee, it is left.

I say the whole question is involved in insuperable difficulties. It seems to me that these resolutions, passed in 1844, will express the feelings of the majority of this House. Though not now in order, I shall avail myself of the first opportunity of presenting them as a substitute for the matter before the House.

*Resolved*, That the House of Clerical and Lay Deputies consider the Liturgy, Offices, and Articles of the Church sufficient exponents of her sense of the essential doctrines of Holy Scripture; and that the Canons of the Church afford ample means of discipline and correction for all who depart from her Standards.

*Resolved*, further, that the General Convention is not a suitable tribunal for the trial and censure of, and that the Church is not responsible for, the errors of individuals, whether they are members of this Church or otherwise.

Messages No. 54 to 63, were here received from the House of Bishops.

REV. DR. LABAGH:—I entirely concur with the remarks of the Clerical deputy from Michigan, who stated that this was by far the most important subject that had

been brought before this Convention. I feel, sir, that we might rather have omitted all the other subjects which have come before us, than to go home and omit specific and definite action of this Church upon this subject. On all the subjects upon which we have legislated there has been no particular interest felt; but upon this subject there has been a deep interest throughout the length and breadth of this Church, and throughout the Christian world; and that interest has excited the attention of all our Church, and of all Christian bodies out of our Church to be centred upon this General Convention as a body that will take hold and deal with a subject which is producing great evil, and which is injuring us as a Church, and impeding and hindering her growth. Now we cannot dodge this great question. We ought not to say virtually, "we are afraid to meet it openly and squarely," or to use a common expression, to take the bull by the horns. We ought not to say it is a question of so much delicacy that we must touch it very lightly, or so lightly that when our action comes to be looked at, it will be said it is not one thing nor the other—ritualism is not condemned; this evil is not put away; it is not even censured; it is left to stand just as it was before this Convention came together. There has been an attempt upon the part of some to regard this as a small matter; that there are but three churches where there is anything like advanced ritualism. That is enough to destroy the peace of the Church. The number, though small, is sufficient to engage the attention of this House. Suppose the papers had announced that there were three cases of Asiatic Cholera, in New York, Baltimore, Philadelphia, the community would be all aghast. We are in danger of being invaded by this pestilence that walketh in darkness. All the Sanitary Committees in those cities would have got together, and said here is danger. Others would have said those are only individual cases. Ah! but every individual brings other cases; it is the nature of the disease to begin with individuals and to spread through the community. Now then, this subject has been of such importance as in the Old Country to call for a Royal Committee, who have sat on it and adjudicated questions arising under it. The example of the Church of England is before us. As there was an inability between the Bishops and Convocations and others to deal with it, she has appointed a royal commission to deal with it. We have the power in ourselves. If this question is of such importance that it has called for a royal commission; if in this country twenty-eight bishops have come forward and, under their solemn seals and names, have warned the community against this dangerous tendency; if clergymen in their pulpits have had to denounce it; if laymen in various parts of the country have had to deplore it; and if the press in its loud and far-reaching voice has spread this all over the land,—can we say it is a matter of small moment, and that it is worthy of the dignity of such a body either to shirk it or pass it by

lightly, and not satisfy the expectations of the Church by meeting it boldly, either endorsing it or deprecating it? Can it be possible that this great atmosphere can be filled with so much smoke, and no fire anywhere? Here are petitions which have come before this Convention, and this Church has acted upon them in committee, and we have two reports. The majority report is, for the present, laid aside, to consider the minority report as a substitute. When I come to look candidly and dispassionately at these two reports, it appears to me that the majority report is an attempt to get rid of the subject; it does not meet this great question fairly and fully. When I come to consider the minority report, I find there is a resolution specifying the evil, and meeting it fairly and squarely, and I am decidedly in favor of this substitute, for the reason that it meets this great question fully and fairly, looks it in the face, and declares what it is, and what is the duty of the Church in regard to it, now the difficulty has arisen; but it is said this thing is local, confined to this city. Why has it not been removed? The question has been left with the bishop; he has refused to interfere; he has gone and identified himself with it, thus giving it all the countenance of his official sanction. If the bishop of the diocese will not interfere, is there any power to deal with it? The Church looks to the General Convention as expressing the voice of the whole Church, and it looks to us to say something definite, to blow a trumpet which shall not give an uncertain sound. I will suppose that there was a Presbyterian Convention in this city that should alter its ritual—its mode of conducting divine worship; and it should appear that in some congregation, in the Communion the communicants kneel in the chancel instead of sitting in their seats, as is now the practice, and the rector should say, "Don't receive the holy communion with the ungloved hand", the Presbyterians would say, and we should say, that congregation will soon be among us. [Laughter.] Suppose on the other hand, there was a Romish Church in this city, and the priest of that church, instead of saying mass as usual, should not make his genuflections before the altar. [Time's up.] I was only going to say——. [Laughter.]

Hon. S. B. RUGGLES:—I am opposed to the indefinite postponement of this question. I hope that the discussion may continue in order that the question may be definitely disposed of, especially in view of the character of the questions now pending. I shall address myself directly to the fourth resolution which resolves (1) that "the burning of lights in the order for the Holy Communion, (2) the burning of incense, (3) reverences to the holy table, or (4) the elements thereon, (5) the elevation of the elements, and (6) the elevation of the Eucharist, are innovations," &c. I am opposed to the indefinite postponement of the question, because we should look at them and see what is the proper disposition to make of them. They all involve the question of degree of reverence due to the Holy Eucharist. I main-



tain that that whole question in all its aspects is only a question of degree—a threefold degree: positive, comparative, superlative. The positive degree is to treat the eucharist as a mere memorial, in which there is no mystery whatever; that every one can understand it. The second, or comparative, degree, is to treat it as having the spiritual presence. The third, or superlative, degree, is to treat it as the real presence. The first is intelligible. The second and third are far beyond poor human reason; we can not solve it; it is beyond our reason to solve it. Why was the third question ever made so important in Ecclesiastical history? It was thus maintained to establish the supreme authority of the Pope of Rome—as a touchstone by which to drive his authority, that those who disputed that dogma should be carried to the stake. It has therefore received a degree of importance rather beyond its real merits, however great they are.

If we are to look abroad for authority in deciding this matter, which I hope we shall not, there is a recent decision by one of the highest ecclesiastical tribunals that the burning of lights is not an innovation, but the burning of incense is. It is now under appeal to go to certain gentlemen appointed by the Crown of England. We can decide the question without the aid of any Prime-Minister. I had the honor yesterday of being allowed the floor for three or four minutes, in which I endeavored to maintain the integrity of the Church by a consideration of its structure; now I hope by an appeal to its common sense. You may take a vote upon this question and have so many ayes and noes, but the thing is not settled; on the contrary taking the ayes and noes makes a breach at once, through which schism may come. If schism ever comes it will be upon a question of ayes and noes on such a question as this. Therefore, I hope there will be no motion made to lay this on the table. I hope it will be fully discussed. I do not like that guillotine process of cutting off the heads of unimportant questions. I do not like to see the executioner ready to drop his axe upon my propositions. If this question can not be settled in any other way, it should be sent to our Right Reverend Fathers in God, the House of Bishops; and there it may be settled; for they may sit with closed doors, taking time; and they may agree upon a certain set of rubrics upon which we may all unite, and thus unite all parties in this Church.

MR. G. C. SHATTUCK:—If the cholera were to appear here, I do not see but we have doctors enough to deal with it, and we don't need any more laws upon the subject. In regard to this subject, I do not see the necessity of any more provisions or any more laws, or why we should be in any wise frightened. I come from Massachusetts, and I represent the Puritan elements. My ancestors two hundred years ago were very much disturbed by ritualism, and they went out of the Church. The Puritans did not build churches; they built meeting-houses; they had no "three deckers;" but they had a small com-

munion table and a large pulpit over that; and their buildings were intended for the State as well as the Church. They met in them on Sundays for worship; and they met on Monday or Tuesday for the discussion of various political subjects. The moderator used to sit in what we consider as the chancel, and at the Lord's table, which was a table—and more, he used to take his jack-knife (as he could not write), and score on the table the state of the votes. [Laughter]. There was a sort of symbolism. I am satisfied that he believed in the doctrine of the real presence. They believed in the administration of the Holy Sacrament, and that there was a supernatural presence of their Redeemer. They broke up the fonts because they believed there was a superstition connected with them; but they believed in the doctrine of baptismal regeneration, which so many members of this Church seem so much frightened at. I am satisfied that they believed in this doctrine, but they had no font. About twenty years ago, in my remembrance, the clergyman of a certain Church published a tract, containing a sermon against the observance of Christmas and against decorating churches. That sermon was considered so important that it was placed on the reading desk of all the Episcopal churches in that city. I think it had some effect, because I must say that our churches are not exactly what I wish. But this very church [that protested against the decoration of churches] has just erected a building for three hundred thousand dollars which is altogether superior to any of the churches in this city, except it be Trinity Church; and it is filled with symbols, and has all the colors of the rainbow. It has a cross on the top ten feet higher than Bunker Hill Monument. [Laughter]. The First Church in Boston has also built a church in which there is actually a cloister with stained windows. Here are the two branches of the Congregational Church alongside, which are competing, as it were, with each other—beautiful churches full of symbolism, with every decoration that they can possibly command. The Independents established the First Church, and we established the Second. The First Church that is building this handsome building is going to introduce a Liturgy. I observe what is going on with regard to both sides. I am not for putting any restrictions upon one party or the other. It used to be an objection to the Episcopal Church that it was a cold, dead Church; that they were formalists. I rejoice that there are signs of life and activity in the Church. I have not the least fears for the safety of the Church.

REV. MR. GADSDEN:—I have always been accustomed to see the rites of the Church performed with a surplice. I remember when a boy in being particularly interested in one of those beautiful hymns of Heber in which he describes the three churches alluded to to-day. While he speaks of one as having laid aside her attire, he commends the matron-like Church of England, having attired herself to impress all hearts with the service

in which she is engaged. It is to such services that I have been accustomed. I have been astonished to see how far every thing around us here has removed from what I have been accustomed to. I have never before beheld until we came into this church, the candlesticks and the cross on the altar. These novelties may be introduced if they are wise; if they tend to the advancement of the Gospel of Jesus Christ, the enlargement of His kingdom, let them come in. If there is anything in the past which is valuable, which will vitalize this Church, and save the souls of men, let it be used; but let us examine it carefully. Will any man say these are not innovations? They may be the revival of old customs; but undoubtedly there are those which are new. The question is, Is this Church prepared to go forward in these innovations? That question ought to be settled; and it is for that reason I am opposed to the motion to indefinitely postpone these resolutions. Let us meet the matter now, boldly, and decidedly,—not in any spirit of strife and contention, but as brethren whose hearts are beating together in love to God and for the advancement of His cause. Let us gravely, seriously decide what is really and truly best for the interest of this Church of Jesus Christ and the spread of His Gospel through all this land. Let us not say, "There is no danger." There is no part of this city in which I have been, and there is no part of this country, in which I have not heard this question of ritualism brought up. All we are called upon to decide is whether as a matter of principle this Church is prepared to innovate. This is a question of great and vital moment. If I am permitted to allude to myself, I must confess here that, for the first time in my life, on a recent occasion, I was compelled to leave the Church, in which I had been educated and brought up, because I could not receive the sacrament in the new forms with which it was administered. I went into what I supposed to be a Protestant Episcopal Church, and I saw the very same ceremonial that I have witnessed in foreign lands in the Church of Rome. I saw the sacrament in which our blessed Lord and Saviour is set before us, and by which those who truly and faithfully receive it, really, though spiritually, receive Him into their hearts—I saw it made publicly the subject of adoration and worship; and I saw connected therewith such performances as are not at all laid down in our rubric, nor at all connected with our worship. I ask if that is not a question we should meet? if that is right? if that is the way in which we desire to advance the Protestant Episcopal Church in this land? Then come up boldly to this issue. Or let it be known that we consider the Reformation a failure, and that we mean to consider our Church in accordance with what it was before the martyrs laid down their lives at the stake! If we prefer what is called the dignified matronlike character of our Church of England service let us say so. I utter my own deep and solemn feelings in this matter. God forbid I should say a word upon this floor that would lead;

to any unkind feeling. If I am wrong, may my brethren pardon me. I here speak that which I believe to be closely connected with the vital interests of the Gospel of Jesus Christ as sustained by the Church to which my heart clings with all the earnest affection of a child who is nurtured and brought up in the midst of her holy and heavenly influences. I hope this question will not be put from us without our meeting it bravely. I therefore must vote against this proposition [to indefinitely postpone] and sustain the minority report on this subject.

Mr. WELSH, of Pennsylvania:—I agree with the last speaker that this is a subject of vital moment. I do regret as a member of this House, that when the Committee on Canons could not agree upon a law, they had not simply said so; for we are law-makers. Their interpretation of law or usage is proper, but I do think we are introducing into this House a dangerous precedent. I am quite in favor of every word by both committees, and I am ready to vote for them. I should be glad to see the report of the minority passed with the exception of one or two words. But I doubt the agreement of the House upon the subject. The fear I have is that we will talk it up until we really fear that if we do not do something, the Church will be injured. I believe all we need is to cultivate our spiritual life a little more and these things will not trouble us. I believe, and I believe it after earnest prayer, that we are on the eve of a reformation far more important than any wrought on the continent or in England. That was a doctrinal reformation. But I see indications of a practical reformation so that we shall not leave the work of the Church to the minister alone. I have heard no trouble touching this thing in the parishes with which I have been connected—not one word. I have heard the question raised once or twice. What was the result? They went to their minister or Bible class at church, and they became far more adherents to the Church than ever before. With the various persons who are at work in the Christian Church I have heard no trouble in any instance. What ought to fill us with more horror is the allowing of an auctioneer to come into the House of God and sell the pews from year to year. Since I came to this Convention a clergyman who chanced to be an eloquent man of God told me that he had written Ichabod upon his church, because when the auctioneer came, Shoddy came in and outbid his earnest worshippers, and twenty or thirty families were turned out of the church by the public sale of the pews. I do feel that all these troubles about ritual great as they may be, are nothing compared with this thing of shutting out from the House of God the great working class. I would not care if an earthquake would crumble down every church that is but a private chapel, where the pews are sold or rented to those who can afford to pay high prices. God by His spirit, in answer to prayer, is moving upon us, and I sympathize with clergymen, exposed to this trial. I am perfectly



willing to vote for every word but two or three in these reports, because they have been introduced. If they had not been introduced I should have no fear of touching these things, because I see that where people are at work, where they are doing Christ's work, I hear no complaints.

Rev. WM. NEWTON:—I heartily thank God for many utterances we have heard in this debate. In reference to the last gentleman on the floor, the weight of his argument appeared to be this, that there are other evils in the Church than those before you. I fail to see the point or the force of the argument. We are called upon by every feeling of loyalty to the Church we love—this glorious protestant Church whose history has been traced in the blood of a noble army of martyrs—to stand up to-day and plead for the truth as we have received it at their hands. It seems to me that there was more in the "cholera" argument than the gentleman from Massachusetts intended. If he could shut out the cholera from the land I would say God speed; but I have read the history of the past not aright, if with all the power of art they have been able to do this. If you present to me these six instances that are enumerated in the fourth resolution as acts by themselves—the erection of candlesticks, of crosses, the burning of incense, the genuflection, and those other evils that are complained of—if you present them simply as isolated acts, I submit there is no gentleman on this floor that is afraid of them. It is not of them we stand in fear; it is the doctrines which they symbolize; it is because they are silent teachers, but most effectual teachers of what we believe to be error that we desire to lift up our voice against them. And it seems to me a striking testimony of the presence of the Spirit of God in producing peace in the minds of this Convention that we have been sitting the last three weeks with these silent teachers staring us in the face. We heard from several gentlemen yesterday, pleas for toleration. I most heartily concur in that desire, but is it to be toleration entirely upon one side? It is to be toleration entirely in one direction, and stringent regulations in the other. We have been sitting here for the last three weeks, and we have had presented memorials courteous in spirit, heavenly in tone, moderate in request, bearing the signatures of brethren known and honored throughout the length and breadth of our Church—whose names are household words. They have come asking for bread and you have given a stone. You are relaxing upon one line and strengthening all the bands on the other. I have no apprehension of error if truth can be unfettered to meet it. I believe Thomas Jefferson never spoke a truer word: "Error is never to be feared when truth is left free to combat it." So let there be this toleration, but give us on the other hand the liberty to protest against this error, and stand up for the simple truth. Let me recur to a pleasing remembrance here. We glory—if it is not too late in the day—

we glory in our name of Protestant Episcopal Church. We make it our boast that we stand in the line of the noble martyrs, upon the platform which they erected, where they stood, and from which they went down to death. Let us unitedly stand together, bearing with each other, believing that each according to his light, according to the light which he has in his mind, submitting only to the guidance of the Spirit and the truth of God, is moved and impelled by a desire to promulgate that truth. Let us stand here according to each other the fullest toleration. But for one I must protest against this toleration which is strictness on one side and liberty on the other.

Rev. Mr. WYATT:—An objection to the motion of indefinite postponement is that it could not be passed by anything like a unanimous vote in this body. Mr. President, outside of these walls there is a multitude of unbelievers, scoffers, and enemies watching to see this holy ship which bears us, driven by the current and the wind to its ruin. This Convention has it in its power to give to all such minds,—I will not say a stunning but—a wholesome disappointment. There are other devout people on their knees, day and night, praying that, in this peril as in others, the good pilot may awake to deliver us, to calm all the threatening elements; and to them this Convention has it in its power to give a glorious jubilee, and that by passing upon this vexed question a decision not reached by a majority report, but unanimously and heartily. It is on all hands represented that this measure can be effected. And the confidence is based not on the merit of any man's resolution, but more on the good sense and the good feeling which evidently pervades this whole body, and most of all, Mr. President, upon the inspiring trust that we shall have upon our action the grace and the blessing of Him who has promised to be with us to the end of the world, and who, we may humbly believe, is truly present in power and love here, and now. Why should not this Convention improve such an opportunity, if it be possible, by surrendering not our belief, not our consciences, not the intelligent judgment that may be based upon them—these no man can with honor to himself submit, were it even to the primate of the whole world. But, sir, our wills are another thing. These we may submit, and in so doing do honor to our manhood. Therefore, I say I will, when in order, in behalf of many members of this House who have represented that such a measure will bring us to unanimity, offer as a substitute for the resolutions now before us, the following:

*Resolved*, the House of Bishops concurring, That all questions which may be raised upon the rubrics and directions contained in the Prayer Book or upon the Order or Vestments to be used in the public celebration of Divine worship and ministration of religious offices, shall be considered settled for practice by the instruction of the Bishop of the Diocese in which the minister officiates, if the Bishop shall choose to give such instruction to the minister in writing.

And I really hope and pray, Mr. President, it may meet the approval of every member of this House, both clerical and lay.

Message No. 54 was here received from the House of Bishops, with nominations of members of the Board of Missions. On motion the House concurred in the nominations.

Rev. Mr. PERKINS:—It is with great diffidence that I arise to say one word upon the important question that is before us; and I assure you that nothing but my sense of the great importance of the question would induce me to rise to say one word. But I am perfectly satisfied that since my connection with this Church which has now existed for many years, no question of greater importance to its most vital interest has ever been introduced into its council. I may almost say that that is the universal conviction of this Church. We have only to remember that no question has occupied the same space in the papers of this Church for years past, none has been so generally the topic of conversation, none has so agitated the minds of the members of this Convention; and even when our House of Bishops met for another purpose than legislation—now twelve months since—so important did they consider it to the interests of this Church, that they saw fit to put forth a solemn declaration with special reference to it; and nothing prevented their uttering an authoritative voice except that they were not then sitting as a co-ordinate branch of this Convention of the Church; and so soon as the subject was introduced here there were solemn faces all over this body. Every one evidently felt that this was the question involving the most important interest of this Church—in which our deepest interests were involved and to which we should give the most serious consideration. And it has surprised me that any such motion as that which is before us now should have been offered in connection with the consideration of this question. Now, sir, that it has been brought up before us, the question is simply this—Shall we meet it, realizing its importance? Shall we meet it boldly, and face the difficulties that are before us, and send forth an expression of opinion in reference to it? Or shall we through fear that any evil may result from such an expression of opinion, shrink from its consideration and show ourselves not to be men when the deepest interests of this Church are involved. It has been said here that the simple taking of the ayes and noes would lead to great evils in connection with it. How can we avoid it? It is impossible that it should be avoided. When we come to vote upon the question of indefinite postponement, it is a decision one way or the other—we either decide that we consider the subject of such vast moment that it becomes us as the representative men of the Church to consider and decide upon its interest, or, if we indefinitely postpone it, we decide we will not consider it. Suppose that the question is laid by—suppose that it is indefinitely postponed, what is the effect?

Why, it goes out through the length and breadth of the land that this question which has so occupied minds not only of members of this Church throughout its whole extent, is of such insignificance that we do not consider it worthy of our consideration, and we are thereby encouraging, sustaining and carrying on the very evils which we here now deprecate and condemn. It has been said that it is a small matter—that these ritualism practices are to be found here and there in little churches—that it is a small matter. But when these evils involving important doctrinal questions can exist and be carried on in this land, in any diocese, without being met by the authorities of that diocese; when leading men of our Church will come and stand in the pulpit where these things are practised and thereby give them their countenance and their encouragement, what is the impression that is made on the minds of the public at large. Simply that the Protestant Episcopal Church in the United States of America has not the power of self-preservation; that it is so comprehensive, that evils of every character may be allowed therein. We are encouraging it; we are sustaining it; we are helping it on; we are making the impression all through the land that the Church does allow and encourage such things. It is a matter of small importance that they should exist here and there; but it is a matter of vast importance that we have no power by which the thing can be stopped. Then there is another point which has been raised—fault by defect. I deprecate that as much as the other; but important doctrinal questions touching the doctrines of the Church are not involved in these faults by defect as in these faults by excess. And yet we would be made to believe that the one is of equal importance with the other. Not only so, I have never known so many sudden conversions to toleration in the Protestant Episcopal Church as I have witnessed here in this House in the last few days. When other questions of a different character have been before us, we have had no difficulty in acting with reference to them; but so soon as questions of this character come before us, there is a loud voice for toleration. I say that evil will result from this. There are other things I want to say, but I think I had better not say them.

The Committee on Canons reported with reference to a resolution concerning the establishment of missionary organizations under charge of the Bishop of unorganized dioceses, and recommended the postponement of the matter to the next General Convention.

Message No. 64, from the House of Bishops announcing concurrence in the resolution by this House continuing the Joint Committee on the Russo-Greek Church, and filling a vacancy.

Rev. Dr. GOODWIN:—The gentleman from Massachusetts, has told us of certain Unitarian churches in Boston which have been erected with a great deal of ornamentation and symbolical figures of various kinds. I wish to remind the gentleman of a story which I think



the gentleman himself told me a few years since ; it was certainly told me by some gentleman from Boston. The story was this, that some Episcopal clergyman speaking to some Unitarian clergyman or layman asked this question : "Why is it that if we introduce crosses and symbols of various kinds in our Episcopal Churches, such a fuss is made about it, but you in the Unitarian churches can introduce all manner of crosses, crucifixes, symbols, anything ; and nothing is thought of it?" The answer of the Unitarian was : "Because, in our meeting-houses those do not mean anything ; everybody knows they don't mean anything ; but among Episcopalians it is understood they mean something." That is it, exactly : the whole thing is in the meaning. That I suppose is understood all around. If those things had no meaning, we would care very little about them. There has been for example, a doctrine or opinion held in this Church and considered as allowable in regard to the minister of other Protestant bodies as being though irregular yet a true minister of Christ, an opinion which Bishop Burnett tells us was the prevailing or universally received opinion for fifty or eighty years after the adoption of the Thirty-nine Articles. Now, may we symbolize that doctrine ? Some clergymen have proposed to symbolize it by inviting Presbyterian or Methodist clergymen to officiate in their churches. Shall we allow that they shall symbolize that doctrine by putting a Presbyterian or Methodist clergyman into their pulpit ? We said, No ; and I agree, No. I yield cheerfully ; I make no objections. We do know that was not called intolerance ; that was tolerance. The question was, shall we symbolize Geneva. The Convention has said, No. You shall not, and if you do you shall suffer for it. That is tolerance. Now, when the question comes, shall we symbolize Rome, it is asked of the Convention affectionately and earnestly to appeal to the hearts and consciences of those who would do it to refrain ; and that Mr. President, is called intolerance. Now, I think it is fair for one who has heartily, cheerfully, joined with the general sentiment of this Convention in the first action, to appeal to this Convention in regard to this charge of intolerance. It is but an expression, affectionately and earnestly put forth by this Convention against symbolizing Rome.

Rev. Dr. MAHAN :—The precise movement, great or small, that is going on in the Church is to be regarded merely as a ripple on the surface of a placid pool, or as part and parcel of some great tidal movement that is going on in the Christian world. For one I regard it as part and parcel of the great movement that is going on in every part of Christendom, of which we see the signs cropping out wherever we may look abroad. It is part of that great movement that must take place at this time or some future time, by which the hearts of God's people in all parts of the world shall be drawn together, and by which differences on things merely non-essential shall be done away in the spirit of a common loyalty to

our Divine Master and to His cause here on earth. I say this ritual movement is merely a part of that great tidal movement that is going on everywhere. Look at the various denominations around us. And I would ask any person here present who has passed the bounds of even middle life, whether among the Methodists, the Presbyterians, the Congregationalists—whether among all the denominations of this country, he has not seen the tide continually rising, by which things that were once on narrow and insufficient grounds rejected among them have been adopted quietly again. Where for example, the sound of the organ in the church of God was considered a bad omen,—that sound is now regarded almost as a necessary part of Church worship. Where a church approaching at all to the Gothic style of architecture was regarded as belonging to the mystery of abomination, that is regarded as a harmless thing ; and so in innumerable instances. I would mention one point especially which has not been alluded to during the course of debate. It is that the Church of Rome itself, which we regarded and justly, too, with dread and so much aversion, at least with regard to certain parts of her doctrine,—that Church of Rome, under the influences that are brought to bear in this land, has abandoned in a great measure the narrow policy of confining herself to certain worn-out forms, and is availing herself of every instrumentality that can be brought to bear upon the hearts of men. Why, sir, at this very time, that great policy of the Church of Rome—that divine service must be confined to one language—has been broken through here and there—everywhere. And why ? Because the Roman Church is wise. She has found that speaking to men in their native tongues, at least in hymns is serviceable, and is now availing herself of the instrumentalities of Protestantism that will advance her cause ; and when she finds that anything of that kind will advance her cause, she begins to tolerate it, and so you find that the revival system is adopted. She has the boldness and wisdom that when she finds that anything will tell, she adopts it, she tolerates it, and incorporates it in her system. When the armies of Anti-Christ are gathering, and when the Lord God Almighty is invisibly moving among His people in all parts of the world to bring them together, the real question for Christian men to consider is whether to stand trifling, and disputing about these small points. It is merely a question in regard to instrumentalities ; and if we look at the things mentioned in the resolutions, which are given us by the minority, and of which so many members on this floor have spoken as if necessarily identified with a false system, I would ask this Convention for one moment patiently to consider whether they are willing as Christian men, loyal to God and to Holy Scripture, to agree that these things must be identified with a false system. Take them one by one. There is the burning of lights in the order for the Holy Communion. Now, be it understood that I am

not advocating the introduction of any of these things; I am merely answering the question whether these things can be identified with that system, so that system must have them and no other. The lights upon the altar; those two lights that we have before us; is there any definition of them, is there any symbolism, that is identical with the doctrine of Rome particularly? It seems almost trifling to answer the question. We know that so far as they have any meaning—I don't say necessarily that they have any meaning—but so far as any person has attributed any kind of meaning to them, it is simply the great Christian fundamental idea of the two natures united in the person of the Lord Jesus Christ; to whose name I would bow not merely in the creed, but, in my heart at least, whenever that name comes to my mind. Reverences to the Holy Table. I do not know precisely what reverences are. That there should be a reverential demeanor that there may be at least some outward sign of a reverent spirit—this may be adopted in the Church or it may not. But suppose one does pay a reverence to the altar of God in acknowledgment of the Divine presence and power,—does that identify one necessarily with the corruptions of the Roman Church. Such reverences have prevailed in every branch of the Church in all parts of the world. They are thoroughly consistent with the most earnest protest against the corruptions of Rome. Again; in regard to incense. Here again I suppose it is necessary to say that I am not advocating the introduction of incense, but I am merely asking the question, does any gentleman here identify incense with the Church of Rome. Did it or did it not prevail in the dispensation appointed by God himself in all ages before Christianity? Did or did it not prevail in the early Church before the usurpations of Rome were so much as heard of? Does it not prevail in the Eastern Church to the present day where the usurpations of Rome are denied? Nay, does it not prevail in that great ideal Church presented to us in the Apocalypse, where the incense is offered up, being the prayers of the Saints? Now, with these great ideas before us, how can any person identify incense with anything else except that with which God's Word identifies it—namely, as a symbol of the prayers of the Saints. I do not say, of course, that incense should be introduced, because it is that, but I am merely contending that this Convention has no business to go against the facts—no right to say that incense is to be identified with a thing with which God's Word does not identify it—no business to go against the Clear Word of God. [Here the gavel fell.]

Rev. Mr. HANCKEL:—The first time during the whole discussion my interest has been aroused, because for the first time in the utterance of the gentleman who has just taken his seat, I have heard the real questions at issue grappled. I refer to my reverend brother's statement that this is not a mere question of outward signs or symbols, nor merely a question of a ripple on the surface, but

a question of a deep tidal movement. Before God I believe it to be so. I regard these things as merely external acts, not doctrines; let them come or go. If a man wants a surplice, let him have it, and of whatever color he wants. The question is—Does there lie beneath the surface a great doctrinal movement? Before God I believe there is such a movement there; and it is because I do believe it that I am prepared, as one who has sworn to drive from God's house all false doctrine, to cast out these innovations. The gentleman speaks of a tidal movement as though it were necessarily onward. Is there no ebb as well as flood tide? Is there no retrogression as well as progress? Must a movement be necessarily onward to the purity of God's Word and the stability of His Church? History teaches no such lesson. God's people under the teachings of the Most High through His prophets had a constant proclivity back to idolatry, and to idolatry they went, even when the servant of God was upon the mountain receiving the commandments from His hand. Is there no proclivity in man's nature in all ages of the world, which that wondrous Church of which the gentleman has spoken, has shown such consummate wisdom in laying hold of and applying to her purpose—a masterpiece of Satanic ingenuity fitting in every nook and corner of every fallen nature, tying it to her car and dragging it onward in her triumphal progress? What is the real objection lying at the bottom of the hearts of all this Church in reference to these churches? I regret they were not alluded to by the committee. The gentleman has spoken of the tidal movement in the Romish Church, forsooth, adapting herself to the use of certain instrumentalities because of outward pressure. Consummate in wisdom she has never failed to do so; but has Rome changed her doctrinal ground one iota? Has she not rather made progress in her way? What means her gigantic strides in the doctrine of infallibility in undertaking by the simple fiat of her chief pastor to add another article to the creed. What means this frightful advance toward a church that has actually proposed in this Nineteenth Century to change the very words in which the Lord taught us to pray, into "Our Lady," instead of "Our Father" to be used only occasionally for the sake of association? Is it toward such a church whose progress is deeper and deeper in the depths of abysmal error that we are called upon to make a friendly movement? God in mercy forbid it! God in mercy forbid such a peace as is here proposed! As to the fact of a tidal movement as indicated in this fourth resolution, I assume that none who do practise these things, being men of God, know what they do. I assume that they would not go into God's house to be guilty of the puerile practices that would be positively ludicrous separate from their association. They know, sir, that they symbolize something; and they symbolize to my mind fundamental error.

Now, sir, I will not comment on the burning of lights



in the order for the Holy communion, although that as an innovation might be excepted to as an advance in symbolism—teaching by sign—a symbol addressed to the eye instead of as we are taught by him who sent us, by preaching his gospel to every creature—teaching that faith is to come by the eye, by sight, and not as he has ordained, by hearing—teaching that the eye and not the understanding is the channel through which truth is to reach man, and by truth man is to be regenerated and saved from death and hell.

As to burning incense—burned it was under the old law as a symbol, because the truth itself was not yet revealed; burned it was in a corrupt church when that truth began to be concealed again from forgetfulness and from sinking into oblivion in consequence. It is burned in heaven! Does the gentleman really suppose that there material incense and swinging censers surround the throne of Him who is worshipped only by the immaterial spirits? Most surely not. And therefore, he must in candor own, that it is only a figure of speech, and therefore not to be literally interpreted here on earth. And now as to reverences to the holy table or to the elements: He says he does not understand what is meant by reverences with profound genuflections and even prostrations before what is called the altar because the faith is received that in the elements there placed, the body, blood and divinity of our Lord Jesus Christ are present. But they are not present; it is nothing but rank idolatry and a direct violation of the second commandment, which commands us not to bow down, as well as not to worship, any merely external and visible thing. But if it is taught that in any sense Christ the Lord in his body and divinity are present in those elements upon that altar, I challenge the production of the name of any Anglican divine of any standing, confirming that doctrine.

Rev. Dr. DeKoven:—It is a very curious line of argument which is used by my brethren, on the other side, with regard to this matter, and I think it very desirable that the Convention should notice it. It is said, over and over again, that this is a matter of the deepest importance—that there is agitation all through the Church about it. More than that—it is not a question of rites and ceremonies, but a doctrinal question, involving the deepest and most important doctrines of this Church; and it has been said, over and over again, that it is unmanly, it is cowardly, it is not in accordance with the dignity of this House, not to meet these questions boldly, in a straightforward way. Now, I beg to ask the question, how do they propose to meet it?—the question which, according to these gentlemen, ought to shake this Church to the very foundation, and which involves doctrines of the utmost importance. They propose to meet it, sir, how? By *joint resolution*! Is that the way in which this Church means to deal with questions which shake it to its foundation? Is this House prepared to take up great doctrinal questions—

principles of the very gravest consideration—and settle them by *joint resolutions*? Joint resolutions are valuable things. They are valuable, permit me to say, just when and how they express the mind of this Church, as of old. They are feeble and ineffectual, unless they do so. Permit me to call the attention of this House to something in the history of this Church. In the year 1811 the House of Bishops and this House passed the following resolution:—

“*Resolved*, That it is the sense of this Church that it is inconsistent with the law of God, and the ministers of this Church, therefore, shall not unite in matrimony, any person who is divorced, unless it be on account of the other party having been guilty of adultery.”

That resolution lay upon the journal of this House for years and years, and this very session of this General Convention we have passed a canon upon that very subject, because somehow, or in some way it had no effect. Now, let me say that if this matter is to be met, it ought to be met by law. If it is important, it should be met by law; and here we are met by the remarkable fact that both the majority and the minority of this committee express the opinion—and, I believe, the almost universal opinion of this House is, that we are not prepared for legislation on this subject. There are very grave difficulties in the way. The doctrine of the Holy Eucharist, no one will pretend to say, is, by any means, an unimportant thing, whatever view is held about it. It affects the highest interests, the highest spiritual relations, the loftiest devotion of the members of this Church. And shall you take up a doctrine of that kind, and in the midst of the time of a heated discussion, in the midst of the time when the world, outside, is pressing us through the columns of newspapers, and decide anything about it, by joint resolution? Everybody knows that some of these practices that are put down in this resolution were practised in the undivided Church, before transubstantiation was ever heard of. Transubstantiation is a doctrine that was introduced in the tenth century. Is this House prepared to say to this Church and this nation that history is wrong, and that the doctrine of transubstantiation was symbolized in the Church of God before it was heard of? Is this House prepared to say, as a matter of fact, that the Lutheran body, which denounced transubstantiation, acknowledges this very proposition by symbolizing a doctrine which it has always denied? Is this House prepared to say that the Great Eastern Church, which has these symbols, affirms transubstantiation, when it has been asserted by one of the noblest and greatest divines (the late Metropolitan of the Eastern Church—Russo-Greek Church) that it did not hold transubstantiation? I bring forward these matters to show that this House ought not to do anything hastily on so important a matter, and that this House is not prepared, and ought not to be prepared to enter upon so grave a question.

One thing more, and this to me is something of the

deepest importance. It has been said that this is a tidal movement, and I would ask my brethren who disagree with me whether they are prepared to force it upon people who disagree with them, that this movement is actually towards what they reprehend. Supposing it should turn out that it is not a movement toward Rome, but toward something else which they believe in just as much as we do. Mr. President, I believe that this movement is a protest in the Church of God against *Rationalism*. I believe it is a protest towards the belief in the Lord Jesus Christ—not stories about Him, not talk about Him, not feelings about Him, not even His history; but it is, sir, the feeling of this Church manifesting itself toward the belief in Him—Him, pressing it upon the Church—Him, speaking in His ministry—Him, speaking in His word—Him, giving grace in His sacraments—Him whom never having seen we love, in whom though now we see Him not, yet believing, we rejoice with joy unspeakable and full of glory. And I beseech my brethren not to say that this thing should be put down. Do not force into a position they do not hold, those who do not want to differ with their brethren, who prefer to act in a calm, simple, earnest manner, guided and influenced by the tone of the Church. It is a great mistake to suppose that the priests of this Church are not bound even now. Will any one say that a clergyman of this Church is not at present, even without joint resolution or canon, bound in all these matters? I do not have any parish; I have no vestry; yet I know that clergymen everywhere are at the mercy of their vestry; and would like to know if any clergyman can advance this kind of things without being exposed to being turned out by their vestries? I do not mean to say it is an absolute restriction, but it is a restriction. Our clergymen are bound by the general tone and temper of their dioceses. There may be factious people in the Church; I know there are; but I say we do not want to be in opposition to our brethren, and it is hard to be so. We are impelled and mean to be impelled by the general influences, temper, and tone of the Church of God. Again, sir—[and here the gavel fell.]

Rev. Dr. LITTLEJOHN:—I am entirely ready to take the question which is now before the House, which I believe to be on the indefinite postponement of the whole subject. I wish merely to say that if that motion fail, as I believe that it will, we have indications enough in the House to show that there is a disposition here to meet what is called the issue that has been presented; and I do not think after the debate that has occurred that any member of this House is disposed—to use the phrase which has been used on this floor—to shrink from this matter. I think the courage of the House has been steadily increasing with every speech made on the floor. One of the speakers characterized the debate which has been had upon this whole subject as a rambling and irrelevant debate. In all of my experience I have never known a debate that confined it-

self more closely to the subject in hand than that to which we have listened since yesterday. I have never known a debate characterized by better temper, by kindlier feeling, by broader views upon this whole subject. It was with anxiety that I looked forward to the discussion of this subject. I have listened with eagerness for the first word that could be construed in such a way as to reflect upon the temper of this House. That word has not been spoken. Moreover this debate, if no practical action shall be taken, has brought out declarations of opinion and affirmations of principle that in my own judgment will be of permanent value to this Church. When I listened to the lay deputy from Illinois, yesterday, declaring as he did with so much power and so much eloquence and as if holding in his grasp the concentrated testimony of history, the great principle of historical continuity of this Church from the days of the Apostles; when I heard another lay deputy rise here and in his own peculiar manner and language that never fails to interest this House and challenge its attention, assert that in virtue of the comprehension of this Church she must, from her very constitution, provide for a large diversity of opinion and of taste—that she must therefore, of necessity, be tolerant—that she must have a certain breadth of sympathy and of action; when I heard another gentleman on this floor arguing in behalf of the elasticity of this Church, because she is a living body and not a dead mechanism, because she must from her very genius and constitution provide for the organic development and growth of the body, because it is a living body,—why sir, put together these three affirmations of principle—the historical continuity of this Church, its toleration, and its breadth, and you have a sufficient amount of practical philosophy upon this whole matter to bring this House, in my judgment, to a safe conclusion upon this subject. Therefore I say that I feel that though no practical action shall be taken, the debate which has been had here is of permanent value to the Church. But it seems to me—I have gathered it from private conversation with the deputies on this floor—that this House has about determined that it is scarcely of any practical moment to adopt the resolutions which have been reported by either branch of the Committee on Canons. I think, as I have stated, that this House has about determined that it will not indefinitely postpone the consideration of this subject. I therefore have arisen not with the view to speak of any details involved in this issue, but simply to offer for the consideration of this House, in case it shall vote down the motion for indefinite postponement, a series of resolutions which I am instructed to say are presented by me after due consultation with influential members of this body; and I believe they will surely command the hearty approval of a number of the delegations on this floor. I would state that these resolutions in point of fact embody suggestions which have been made already to this House.



They are not original with myself. The resolutions are as follows :

Resolved, That the House of Bishops be requested to set forth for consideration and adoption by the next General Convention such additional rubrics in the Book of Common Prayer as in their judgment may be deemed necessary.

Resolved, That, meanwhile in all matters doubtful, reference should be made to the ordinary, and no changes should be made against the godly counsel and judgment of a bishop.

These are the words with which the last resolution of the majority of the committee conclude

Resolved, That the reports of the majority and minority of the Committee on Canons be transmitted to the House of Bishops.

The PRESIDENT :—The question is upon indefinite postponement of the subject before the House.

Rev. Dr. GOODWIN :—I call for the question by dioceses and orders.

The PRESIDENT :—Is it worth while to have a vote by dioceses and orders on this subsidiary question ?

A DEPUTY :—said the vote by dioceses and orders would not be insisted upon if the motion for indefinite postponement should be withdrawn.

The DEPUTY (Rev. Mr. DASHIELL, of Maryland)—who made the motion for indefinite postponement was found to be absent at this moment, and it was withdrawn on his behalf by another member of the Maryland delegation, who seconded the motion by Dr. Littlejohn.

Rev. Dr. LITTLEJOHN :—In order to submit the resolutions in their proper order, I move them as an amendment to the substitute for the majority report.

Rev. Dr. MAHAN :—I would say, for one, very briefly that I think members ought to consider a moment before they vote without debate upon a subject which is so very new as that contained in the first resolution. It may be convenient for this present debate, but this preparing of rubrics for the Prayer Book is a serious matter.

The PRESIDENT :—It gives three years to think of it.

A DEPUTY :—For these rubrics to become part of the Prayer Book they must be ratified by the next General Convention and go down to the dioceses.

The PRESIDENT :—They will not be prepared 'til the next General Convention ; then they will be sent down by the next one and ratified afterwards. [Laughter.]

Hon. S. B. RUGGLES :—I wish simply to explain the difference between Dr. Littlejohn's proposition and mine. My own proposition was to refer the subject of preparing rubrics to the House of Bishops ; but he adds that until they do prepare them, each bishop is to prepare them.

Rev. Dr. LITTLEJOHN :—Oh, no, sir.

Hon. S. B. RUGGLES :—What is it then ? [Laughter.]

Rev. Dr. LITTLEJOHN :—The second resolution is presented in the very words, *ipsissima verba*, of the close of the last resolution of the majority of the committee, that in matters doubtful, reference, until the House of

Bishops shall act in this matter in their collective capacity, shall be had to the ordinary, and no changes shall be made contrary to his judgment.

Hon. S. B. RUGGLES :—That simply gives the power to the bishop. I do not say it is objectionable but I wish to point out the difference.

A DEPUTY :—Is it in order to offer an amendment to this ?

The PRESIDENT :—No, sir. If the minority report had been offered as an amendment instead of a substitute, a substitute for the whole could be offered.

The SECRETARY :—explained that the minority report was presented to the House as an amendment.

Rev. Dr. MEAD :—It was the manner in which the matter was presented to the House.

The PRESIDENT :—It is the right way to do it.

Rev. Dr. MEAD :—Certainly. [Laughter.]

Rev. Dr. VAN DEUSEN :—I then offer as a substitute for the whole the two resolutions of which I gave notice, to be found on the 64th page of the journal of the General Convention of 1844. I offer those two resolutions as a substitute for the whole. [These resolutions were printed above.]

The PRESIDENT :—The question will be upon adopting those two resolutions as a substitute for all the other questions before the House.

Rev. Dr. PADDOCK :—I want to ask if we are to understand that those who vote in the affirmative decline altogether making any declaration whatsoever as to the mind of this House in regard to this question which is agitating the Church.

The PRESIDENT :—The resolutions express that very thing.

Rev. Dr. PADDOCK :—I want to ask if that resolution drawn for an entirely different purpose is considered by this House suitable to fit in for this new question which has arisen since that resolution.

Rev. Dr. HAIGHT :—I do really think it beneath the dignity of this Convention representing this Church in 1868 to go back to that Convention of 1844, and take resolutions offered for a totally different purpose as expressing the sense of this House. It is the most palpable confession of weakness I have ever heard. It would be a disgrace to us.

Rev. Dr. ADAMS :—I would say it is a confession of difficulty but not weakness.

Rev. Dr. HOWE :—Then I call for the vote by dioceses and orders.

The question was then taken and resulted as follows : Clerical representatives, 34 ; Ayes, 11 ; Noes, 21 ; Divided, 2.

Lay representatives, 30 ; Ayes, 7 ; Noes, 20 ; Divided, 3.

The substitute was thereupon declared lost.

Messages Nos. 65, 66, 67 and 68 from the House of Bishops were here received ; the last resolution being an expression of the sympathy of the House of Bishops in

relation to the death of the most Reverend Francis Fulford, D. D., Metropolitan of Canada; in which resolution, on motion of Rev. Dr. Haight, the House concurred.

On motion of Rev. Dr. GOONWIN, the House concurred with the House of Bishops in message No. 66, with reference to Alaska.

Rev. Dr. WATSON, of North Carolina, offered the following substitute:

*Whereas*, it has been represented to this General Convention, that the peace of the Church has been disturbed by ritual practices on the part of some of the clergy in supposed contravention of the usages of this Church, and symbolic of false doctrine, and on the part of others by departures from the customs of the Church, by way of defect, therefore,

*Resolved*: That, while recognizing the conflict of opinion which exists upon this subject and the resulting dissatisfactions, and while condemning all useless and unauthorized aberrations whether by excess or by defect from the customs of the Church, and especially all usages which symbolize doctrines against which our Reformed branch of the Church has solemnly protested; this Convention is persuaded that the best cure for the evil complained of, is to be found in the recognition of the great rule of "*unity in essentials, liberty in non-essentials, and charity in all things.*"

*Resolved*, that this Convention do earnestly and affectionately remind the Clergy and Laity of the Church that they are brethren, and do beseech them to aim to be of one mind, as well as of one heart, and for Christ's sake to seek the things which make for Peace and Edification, and after the example of the blessed Apostle Paul, to avoid those things, which however innocent in themselves, yet cause their brethren to stumble or to be offended.

*Resolved*, that in all questions of ritual observance, arrangement, furniture, or decoration, not determined by the Rubrics or Canons of the Church, and in all questions of the interpretation of the Rubrics or Canons, upon this subject, the Clergy and Laity are urged to defer to the judgment of their Bishops, and to make no change against their godly counsels.

Rev. Dr. WATSON, (resuming):—It seems that in the specification of the minority report, we are told that the House of Bishops of the General Convention of 1814, specified certain sacraments as appropriate to the ministry, and a point was made of this yesterday. Still I would like to draw the attention of the Convention to it in a different light. Either the enumeration was a complete specification, or it was not. If it be incomplete, there is no inference to be drawn from it, and that it is incomplete, is shown by the fact that it omits the stole. I maintain that is fatal to that inference. I would like to say, generally, that I am one of those who are not in the habit of practicing any of these extreme ritualistic observances. I officiate in the good old-fashioned manner. I am not, therefore, personally interested in any change; but, at the same time, I think there are others that differ much, and within the bounds of the law, until a principle is violated, I think they ought to have the same sort of liberty I desire for myself. I do not think the Church is in a position to determine this mat-

ter. We have had the history of a number of years, and that history has been progressive. The answers on this subject do prove, the replies from Ohio and Virginia corroborate the assertion that there has been progression. Why may there not still be some progression? I am not willing to sit down with the idea that we have reached the old red sandstone in this matter. While I am perfectly satisfied with the arrangements of the Church as they have been, while I do not expect to change them in my own practice, at the same time I like that liberty for others. I maintain that, while it would be a great harm to enforce practices to which the people were not accustomed, to attend church where those practices are used is a different case in a city like this. It does seem to me a hardship that a congregation, who are united in desiring more highly decorated forms of worship, should not be allowed to have them, provided, they do not infringe any canon or law of the Church. It seems to me a part of the liberty wherewith Christ has made us free. This Church is a Church Catholic, intended to include men of all degrees of culture, of all degrees of taste; and she should be able to adapt herself to all as she sees fit. It seems to me there are two ways out of the difficulty—either to enforce absolute uniformity or else agree that these things are not essential, and allow each one to worship in the way which conduces most to his own devotions.

Rev. W. C. WILLIAMS:—No man in the Church who acted with any regard to principle, would regard these resolutions. The only thing that controls a clergyman in such matters are the rubrics of the Church and the only person to whom he looks is his bishop. He has promised obedience to his bishop but not to this body. If this body speaks by canon or rubric, then all men are bound. If we are going to do anything, it ought to be by rubric. It has ever seemed to me very desirable that a set of rubrics should be in our Prayer-Book to settle this question. If one man has a right to wear one gown and another has a right to wear another gown, we have no law except a common law. But if the bishops will set forth and prepare a set of rubrics, giving the license—I, for one, believe a good deal of license ought to be made—it is very desirable. It has ever seemed to me that it is important that in the Prayer-Book there should be some general rules as to the vestments, and giving men wide limits to vary. I hope, therefore, to see the resolutions of the deputy from New York adopted.

Mr. CORNWALL:—I have a resolution which I would offer in case the resolutions from the deputy from New York are voted down. I have no speech to make about it.

*Resolved*, That the report of the majority of the Committee on Canons on the conduct of public worship be published in the journal for the instruction, warning, and prayerful consideration of the clergy and laity of this Church, with the earnest hope that they may confirm the unity of the Church, and also testify our adhe-



rence to the sound doctrine of the Book of Common Prayer.

THE PRESIDENT:—The question now before the House is the substitute by the gentleman from North Carolina.

REV. DR. GOODWIN:—I rise to a point of order. We have resolutions from the Committee before the House, and an amendment to an amendment is proposed; and thereupon a substitute for the whole matter was offered by the gentleman from Western New York. That substitute was negatived. My question is, whether it is in order to go on presenting substitutes without end, so we may never reach the question originally presented. Here is another substitute. Is that in order?

THE PRESIDENT:—So far as I see, there is no limit except in the discretion of the members of the House.

REV. DR. PIERCE:—I see no limit, and move to lay the whole subject on the table.

REV. DR. GOODWIN—called for a vote by dioceses and orders.

A vote was then taken upon the motion to lay upon the table; it was lost.

THE PRESIDENT:—The question now recurs upon the substitute of the gentleman from North Carolina.

JUDGE OTIS:—There is authority that the last substitute is not in order.

THE PRESIDENT:—It has been suggested that the point made by Dr. Goodwin, that there can be but one substitute in order, is correct. Practice determines it, and these experts have certified that that is the practice; and, therefore, the substitute from North Carolina is not in order.

REV. DR. ADAMS:—I think it is unfair to choke any man down with reference to this great debate, and I appeal to the justice and equity of the House. I hope that in this House we shall unanimously pass, or, at least, by a very great majority, Dr. Littlejohn's amendment; and I will give my reasons for it. In the first place, this has been fully and distinctly brought before us, that the feeling with regard to these minority and majority reports is, that we do not want to pass them. We think there is a little too much preaching in them—that there ought to be law, and not resolutions. Now, I would say that I think, considering the Committee on Canons and the men that are in it, these reports should be treated with the highest respect; and I consider that Dr. Littlejohn has treated them with the highest respect—conferred upon them an honor which has seldom been conferred upon any reports of any committee, by transmitting them to the House of Bishops. [Laughter.] I will consider the resolutions in a reverse order, as I suppose I have a right to do. [Laughter.] The second resolution of Dr. Littlejohn is: [Reads the resolution.] Now, this is simply a principle which every man of this House holds as a churchman. I do not say whether he be a high churchman or low churchman. It is in our ordination office, and it is a principle of us

all that we should defer to the godly counsel of our Bishop; and I will say that with regard to the men in this Church going to Rome, an aberration from this principle has been the first sign of their schismatic temper. I will say that there are some men who called themselves high churchmen twenty years ago, and were in a certain style—that is, having an inclination to go to Rome—who felt like John Randolph, that they would go a mile out of the way to kick a Bishop. [Laughter.] I think that this second resolution of Rev. Dr. Littlejohn embodies a principle upon which we all agree. I will go to the first resolution:—

“Resolved, That the House of Bishops be requested,” etc. This brings it before the Bishops. It supposes that they have a right to consider such a thing; it supposes that they have a right to report it, that is, three years hence; it then supposes that that would come before us. Suppose we all agree to pass it. It then goes for three years more; that is to say, it takes the time of six years. I calculate that by the time that has come, we shall be a little cooler on the matter than now. As I look upon it, no man can have an objection to this thing. No man can have an objection to adopting a series of rubrics which will put an end to all this discussion, one way or another. I calculate this is a very desirable resolution to propound at this time. The reason that I agree with these resolutions of the Reverend Doctor, and uphold them with all my heart and soul is, that I recognize that in this Convention and in this Church there are men whose hearts and souls are right before God, but who do not wish to be put down by anybody; that is to say, I have a feeling that good men, righteous men, true men, are on both sides. I belong to the old Bishop Hobart school. I go for this Church, and I go for primitive Christianity, antecedent to the union of Church and State. I believe there are certain gentlemen who have considerable love for the Puritans, and I would say with regard to one of these Puritans (Richard Baxter) I have heard him praised in this Convention; but if the persons knew him they would not praise him. He did as much mischief in the Church and State of England as if he had no piety at all. It was like the honesty of a certain distinguished representative of the fourth order of this Church, who did as much mischief as if he had no honesty at all, and yet was recognized as the most honest man in the world. So with Richard Baxter. I recognize that any resolution of this House, any expression of its will has the greatest weight in the world, as expressing the sentiments of thirty-five dioceses; as expressing the sentiments of learned and educated men. Anything we say against gentlemen, one side or the other, is simply a club to knock them down. I do not want this Convention to be made a means of putting down, even by implication, any man who professes, honestly and sincerely, to believe in the doctrines of the Protestant Episcopal Church, according to the

Prayer-Book; and those most puritanically inclined, and those most ritualistically inclined I recognize as men who will keep to this test. I am acquainted with some who are ritualistic, and I know them to be honest and good men; and I want nothing to be done that shall produce the appearance or the feeling that this General Convention has made any declaration, whatsoever, that shall have the appearance, in the public mind, of putting any man down who is honestly in the Church, who is not tried by his Bishop, not accused, not condemned; and for these reasons, with my whole heart and soul, I go for the resolutions propounded by Dr. Littlejohn.

Hon. S. B. RUGGLES:—I second the resolutions of Dr. Littlejohn, and hope they will pass.

Rev. Dr. HOWE:—If ever we can get at a direct vote upon the resolutions submitted by the minority, I shall have something to say upon the subject, if I can obtain the floor. I do not propose to enter into the general merits of this question, at this time and in this connection; but before the vote is taken upon the proposition now before us, I wish members of the House to be made to realize that this is indeed a postponement of the whole subject. We ask the House of Bishops to set forth for adoption at the next General Convention rubrics touching certain things. Well, sir, those rubrics will have to be submitted to the consideration of the House of Clerical and Lay Deputies of the next General Convention. If they chance to be adopted by the two houses, they then have to go down, being reported to all the dioceses of the land, to be returned to the following General Convention, and then confirmed or rejected. So that, upon this whole subject, we get nothing accomplished until the expiration of six years. And if at that second General Convention there shall be the disposition to alter a single word that has been adopted by the next previous Convention (that is, the one following that which we are now assembled in), it will have to go down again and be postponed for another three years. I submit to members of this House that this is just equivalent to putting that which is an imminent and pressing question, which bears upon this present moment, upon which the hearts of all the members of the Church in all parts of the land are high-strung, it is putting that question off. It is evading the question that is now before us. Sir, we ask the passage of our resolutions to meet this present stress; and if the gentleman after the passage of those resolutions, will propose this project for the issuance of certain rubrics by-and-by, we will vote for them, but not as a substitute for that which is required at this present time; and when the vote is taken the deputies from the Diocese of Pennsylvania ask for a vote by dioceses and orders.

Rev. Dr. LABAGH:—I arose with the intention of uttering the same sentiments as the gentleman who preceded me, that the resolution now before us is really a

proposition to do nothing in the case. It is a virtual postponement of the whole question, a question the most important that this Convention has passed upon, and which the whole Church is looking for us to settle in some way, to give peace in all their borders. One of the resolutions says, "in all matters that are doubtful." Now I ask, "Doubtful in whose mind?" Suppose a person is about to establish a new ritualistic church. He says, "I have no doubts in my mind, and why should I split matters with the Bishop; as long as I have no doubt in my mind, that resolution does not bind me. It may be doubtful in the minds of others; but those doubts are not to govern me." It doesn't provide any remedy at all. What is doubtful to one is not doubtful to another. How does the resolution touch the case? There is a certain way to find out how not to do a thing. That is the way with this resolution. Now as regards the Bishops agreeing upon a thing. We have once had an example of that kind, of Bishops directing what should be done in parishes. There was once a Bishop of North Carolina that had a society in his diocese, called The Society of the Holy Cross, all under the patronage of the Bishop, all regulated and authorized by the proper authorities of the diocese; and in that society there were such practices as reverences to the Virgin, and even, it is said, a kind of devotion to the Virgin; and these things were tolerated by diocesan authority. They were sanctioned by the authority of the Bishop of that diocese. You know what the result is where our Bishops are pliable. What is the condition of things in this diocese? What is the state of things all over the Church? The complaint of the Church is that this Bishop countenances it, and that he will not bring the authority of his office to put a stop to it. That is the complaint all over the Church. How is this difficulty to be remedied by these resolutions? You have the expression "in matters doubtful." The individual about to introduce these rituals has no doubt at all; and he has nobody to apply to. I say there is an indefiniteness about these resolutions which does not touch the question that is properly before this House, and this House ought to be open and manly, in order that we may give an account of ourselves to our Church when we go home. I expect soon to go beyond the Mississippi. I shall have the question asked, "What did the Church say about ritualism?—did she express any disapprobation of those practices which are disturbing us so much, and keeping others away from us, who fear that we are not steady in the faith, and likely to end we know not where?" What will be my answer? I shall have to confess that they have evaded the subject.

Rev. Dr. MEAD:—I am surprised to hear my venerable brother behind me [Rev. Dr. Goodwin] as well as the one who has just sat down faulting that resolution for the word "doubtful," as leaving it to each individual clergyman to decide on which question he should ask the Bishop's approval.



Rev. Dr. HOWE:—I did not fault it for that. [This remark was obviously not heard by Rev. Dr. Mead.]

Rev. Dr. MEAD (continuing):—Permit me to read the last resolution of the minority. [Reads the resolution.] Pray tell me what is the difference. It amounts to the same thing precisely, and yet it is faulted on that very ground. I am free to say that I am prepared for one to take the resolutions offered by the gentleman from New York [Rev. Dr. Littlejohn.] I was opposed to any action on the subject; for *ritual* or *rite* is an indefinite term. We have it ecclesiastically, we have it socially. In *rite* the Quaker was a ritualist, his *rite* consisting especially in wearing a broad-brimmed hat and the straight coat. And the Quakeress was a ritualist. She wore that which did cover the head, and might be called a bonnet; she did not put the contents of a whole dry goods store on her back, but wore what was modest and decent. But what occasioned the falling off of that *rite* of Quakery? First, it was brought into existence by opposition; it was persecuted into notoriety and into a substantial existence by opposition. The moment it achieved its end and became a power ecclesiastic in its own way, that moment it began to subside; and now I have seen in the streets of New York a large number of Quakers from time to time, but a Quaker with a broad brimmed hat, the ritual Quaker, is *rara avis in terris*, [a rare bird in the world]. Why is this? They have been left to themselves and they have died out. Now I will speak of another ritual, a *rite* or use. Within twenty three years a Bishop of this Church, now living, expressed to me his difficulty conscientiously in relation to ordination of a young man of the General Seminary because he had not put a razor on his face; he had what would be called a moustache and goatee; and yet for that crime he was not prepared to ordain him. A gentleman then wearing that appendage of nature as honorably as you wear it, [the President's beard being of patriarchal style and dimensions] would not have been allowed to take a seat in this Convention. We wanted smooth faces then. We have changed our ritual, and in twenty years longer beards will be among the things that were. Under these circumstances, let us not make so much of a little thing changing every day. You may go into the adjoining avenue [Fifth avenue], and there you will see the rites of fashion. You will look at them, and smile at them; by-and-by they pass away; contempt or neglect will soon drive them away. I have looked on the whole of this proceeding; I have sat here and heard grave gentlemen, Christian ministers, laymen of eminence, talking about what? False doctrine? What have we to do with false doctrine? Show me the man who teaches the doctrine of transubstantiation or openly declares it, and I will bring him where he will be *compelled* to renounce his false doctrine or be *compelled* to be *degraded* in this Church. Here are we, an exceedingly grave body, many of us grey-headed men, talking

on these idle subjects. Why, sir, I have felt again and again one line of Dr. Young's continually running through my head. What does this all mean? It—

“Resembles ocean into tempest tossed,  
To waft a feather or to drown a fly.” [Laughter.]

The vote was then taken upon the resolutions offered by Dr. Littlejohn, and they were adopted by the following vote:

Clerical representatives, 35: 21 ayes, 10 noes, 4 divided:

Lay representatives 30: 18 ayes, 8, noes, 4 divided.

Judge ORIS:—I make the formal motion that the resolutions be passed by this House. Carried.

On motion of Rev. Dr. Mead, the Secretary was instructed to forward a copy of THE CHURCHMAN'S Phonographic report to the Standing Committee of each diocese in the United States.

On motion of Rev. Dr. Howe, a canon, presented at the last General Convention, with reference to the naming of the dioceses, was referred to the Committee on Canons.

THE PRESIDENT—announced that he had received a letter from Rev. Mr. Langdon, resigning his place on the Italian Reform Commission, and that he had appointed Rev. Dr. Haight in his stead; and in place of Rev. Dr. Mahan and Rev. Dr. Montgomery, withdrawn, he appointed Rev. Dr. Leeds and Rev. Dr. Huntington. As the lay members of that commission he appointed Mr. Morgan, and Mr. Chauncey—On the joint committee on the course of Theological study, he appointed Rev. Dr. Haight, Rev. Dr. Hare, Mr. Meads, and Mr. Origin S. Seymour. On the joint committee on Hymnody, he appointed Rev. Dr. Huntington, Rev. Dr. Howe, and Mr. Henry E. Pierrepont.

The House of Bishops having sent back the report on the Theological Seminary, because it was incomplete, Rev. Dr. Shelton explained that the incompleteness was due to the fact that the gentlemen who represented the different dioceses had not sent him the names of the trustees belonging to the Seminary; and upon his motion the list of trustees was returned to the House of Bishops with the information that from the imperfect data in their hands in consequence of the failure of the dioceses to nominate or to report their nominations of trustees, it was impossible for the House committee to submit a more correct list.

Rev. Dr. HOWE:—I understand that we have received a message from the House of Bishops signifying that they do not concur in the canon respecting assistant bishops. I move that this House ask for a committee of conference.

Rev. Dr. ADAMS:—That question is debatable, I suppose. I beg leave to bring before this House very strong reasons why they should not go forward and ask for a committee of conference upon this iniquitous canon which we passed by mistake.

THE PRESIDENT [smiling]:—you must apologize for that expression.

Rev. Dr. ADAMS:—I apologize for that expression. [Laughter]. Now, sir, in reference to this matter the House of Bishops has refused the canon which was passed here by a small majority. I would suggest the effect of that canon to this House. I do not want to delay a vote by any debate or any long speech. This Church considers it righteous and just that in case of a bishop becoming incapable of discharging his episcopal duties, he has a right to have an assistant. That is fair and just. This canon simply brings in this consideration.

Rev. Dr. HOWE:—Is it in order to discuss the merits of a canon which we ourselves have adopted? It is a simple question of a committee of conference on a canon which has been adopted by this House.

THE PRESIDENT:—I know of but two motions that are not debatable; those are, the motion to lay on the table, and the motion to adjourn. Therefore I suppose this question like every other, must be debatable.

Rev. Dr. HOWE:—The gentleman is not debating the question whether we shall ask for a Committee of Conference, but he is debating the canon which we have had already debated.

Rev. Dr. ADAMS:—I conceive I have a right to put before this House why we should not ask for a Committee of Conference. I think it is fair and just, and do not think it fair that my time should be used up in this way. I call upon the Secretary to tell how many minutes this has lost me. [Laughter]. I say that this canon simply adds a new provision, that is to say, a provision that the bishop shall have a right to have an assistant, not when he is incapable, but, when he fears he is likely to become incapable. [Laughter]. It was said by a gentleman that it was for the sake of saving precious lives. I have no doubt of it at all. Under this canon as we have passed it, there is not a bishop that would not have an assistant bishop in twenty years. It was like the old reason for drinking, six reasons, the last of which was "being dry, or any other reason." Now, I have some little more to say about this canon. Upon examining this canon you will see that it is a canon which has a double-edge; on the one hand it gives a factious Convention who dislike their bishop the right to go forward and torment him to death, exerting all kinds of pressure that they may be able to compel him to get an assistant bishop. In the second place, it gives any bishop, whatsoever, who manages, as bishops have done to my knowledge, and will do, the right to nominate his successor, to impair the rights of the clergy—a right to go into the diocesan convention and force, by personal influence, his successor upon the diocese. Now, it was asserted that it was utterly impossible that bishops should do that. A great deal of odium was cast upon that idea. I say that in one case a bishop of a western diocese (who has gone to his rest, and I hope is in Paradise)

by his personal influence elected a man who had been before this Convention and was rejected by the House of Clerical and Lay Deputies and by the House of Bishops. I therefore object to a Committee of Conference being called, because it simply brings us again to the consideration of a canon which has a double-edge, fitted to torment the bishops and fitted to deprive the clergy and laity of their rights, and which has been rejected by the House of Bishops. I hope, therefore, with regard to this canon which we passed by a small majority, that this House will go in and by a large majority declare that they will not go it blind on any man's advice whatsoever, but will vote according to their consciences.

Rev. Mr. ROGERS, of Texas:—I hope the House will remember that when this canon was passed originally it was upon a great pressure. The next day the motion was made to reconsider, but, going over until the next morning, the action was had upon reconsideration and those who asked that the canon should be reconsidered were placed in the peculiar condition that they were to bring about the reconsideration by a majority of orders. Now, when we came to vote there were against the canon (in favor of this reconsideration), 24 dioceses, 6 for it, and 4 divided. There were lay delegations, I think, 17 voting against the canon, 14 for, and 4 divided. Now, gentlemen, on mature consideration a large majority of this House put their foot upon this canon. The bishops have put their feet upon this canon; and now it strikes me that it is with remarkable ill-grace that any man comes into this House and asks 24 clerical delegations to reconsider our reconsideration, and the lay delegations also to reconsider. We have already decided this matter. In reality we had our foot upon it. Let us keep our foot upon it and refuse to grant this conference which is asked for and let us go home as we should have done long ago without this canon passing, without this tormenting curse upon us.

Rev. Dr. HAIGHT: It may be with exceeding ill grace that this is done. I hope I shall not have the ill grace to use such language as my brother has used with regard to the action of this House. It is perfectly within the province of this House to reconsider any question; and it is perfectly consistent with gentlemanly propriety for a member of this House, when the Bishops have returned to us a canon, declining to pass the canon which we enacted, to ask for a Committee of Conference. It may be that further reflection has led some gentlemen of this House to think that they have not rightly understood the question. I am perfectly willing to take the odium of seconding the motion that this House ask for a Committee of Conference upon this subject. I do believe after all that has been said, and all the vituperation heaped upon this canon, that it is a canon which will be of eminent service to the Church in more ways than one.

Mr. McCrady:—So late in the day do the friends of this canon propose a Committee of Conference!



They have had a fair chance. They passed and sent it to the House of Bishops, and the House of Bishops did not concur. You only distract the House. A great many of our measures have been sent to the House of Bishops to-day, which they may refuse to concur in. I do not see why we should at this present time, within ten minutes of the time of adjournment, ask for a Committee of Conference. Nothing can be done in that time. A small majority of this House recommended it to be sent to the House of Bishops. It is the fortune of those opposed to it that it has come back; and we have a right to avail ourselves of the opportunity to refuse to consent to a Committee of Conference.

Rev. Dr. HOWE:—This House has expressed itself twice in a constitutional way in favor of adopting such a canon. Gentlemen come with their *ex parte* statements with regard to it. The solemn fact is they have twice affirmed that this canon is their will; and now our Right Reverend Fathers, as I understand, by a very small majority—[the PRESIDENT:—I don't think it is right to make that statement].—I withdraw that statement—have declined to accede to that which we propose as a canon, for reasons that none of us have heard in this House. Perhaps it will be the judgment of a Committee of Conference that no such canon ought to have been adopted, and that they will propose to this House an acceptance of the refusal of the House of Bishops to concur. It seems to me that it is a matter of entire propriety that we should confer with them. As to the lateness—it has often been done on the evening of the last day's session. I do not know what we shall do to-morrow to keep ourselves occupied until the evening.

Rev. Dr. HODGES:—I must with all humility take exception to the mode in which my reverend brother from Pennsylvania has expressed the action of this House. Twice, he says, this House has confirmed its will that this canon shall be passed. I will recall the attention of the House to the fact that the original canon was passed by accident, and the difference in the count was only five in one hundred and seventy, and every one who tries to count persons standing in that way, knows there may be some mistake. It was passed by a small majority. And when the matter was reconsidered, it was evidently not the judgment of this House in an authoritative way. When this matter came up for reconsideration, the judgment of the House was numerically expressed as against the canon, because the whole numerical majority was in favor of the reconsideration. Had it not been for the technical way in which that question was taken—had it not been the question of the passage or not of the canon, it would have been decided against it; but from the particular way in which it came up, it could not be reconsidered. We have been told that the House of Bishops have not given us any reason. I think if the House had listened to the message, it would have heard the reasons; and it strikes me that they are particularly sound and ought to be satisfactory

—“that this House does not concur in the canon so and so, for the reasons that it greatly affects the relation of the Bishop to his diocese (the Bishops are the persons interested), and tends to disturb existing relations as well between members of the House of Bishops among themselves as between the present diocesan Bishops and the people under their charge.” If these are not reasons I have never heard any.

Rev. Dr. HOWE:—I do not understand them, and should like to have other opportunity to hear them explained.

Mr. ———:—In behalf of Vermont, I call for this question to be decided by dioceses and orders.

On motion of Rev. Dr. Hare, the matter was laid upon the table.

Rev. Mr. WYATT offered the following resolution:

*Resolved*, That it be referred to the Committee on Canons, to examine canon number —, on the subject of marriage after divorce, and report to the next General Convention, whether in their judgment the proviso, “Except cases of divorce for the cause of adultery,” ought to be stricken out to render the canon more strictly conformable to teaching of Holy Scripture.

The resolution was lost.

The House then adjourned until to-morrow.

#### TWENTIETH DAY'S PROCEEDINGS.

THURSDAY, Oct. 29th, 1868.

Morning Prayer was said by the Rev. Dr. Bailey and Rev. Dr. McMasters.

The Benediction was pronounced by Bishop RANDALL.

The journal of yesterday's proceedings was read and approved.

Rev. Dr. HAIGHT:—The papers this morning have brought us the sad intelligence of the death of his Grace the Archbishop of Canterbury. When we remember our close connection with the Church of England of late, and how it has been due to the character, the great courtesy, urbanity, prudence, and gentleness of that prelate, and when we call to mind his high character and distinguished position, I think it will not be in the mind of this House to allow this melancholy event to pass by without some manifestation of its feelings. I therefore move:

That this House has heard with profound regret of the death of his Grace the Archbishop of Canterbury, and that this House do communicate to the House of Bishops its desire to join with them in such expressions of regard and of respect for his memory as they may see fit to prepare.

*Resolved*, That the action of the General Convention in regard to the death of the Archbishop of Canterbury be transmitted at once by telegraph to the Bishop of London, the Dean of the Province of Canterbury.

This resolution was adopted by a unanimous vote.

On motion of Mr. WELSH the action of the General Convention was communicated by telegraph to England.

Rev. Dr. HAIGHT moved that this House concur in

the resolutions contained in message No. 63 from the House of Bishops, concerning the consecration of churches.

A DEPUTY:—I have no objection to that part which has been read. It may be remembered by some, that in the Convention a few days ago, I referred to a case in which a certain church corporation found it necessary to purchase four different lots from different owners, and that it was impossible to secure one of those lots unless a mortgage was given to the owner upon that lot. I ask the question whether, under such circumstances, that church could be consecrated, the mortgage not being one fourth part of the lot. I do not see what provision, if any, is made for such a case.

Rev. Dr. HAIGHT:—That whole matter is left to the diocese.

A DEPUTY:—Can there not be a lien or incumbrance?

Rev. Dr. HAIGHT:—It will be difficult to say whether it is such a lien as would prevent the consecration. The manifest intention of the canon is to prevent a church from being consecrated that might, under any circumstances, be sold for debt.

There were here received from the House of Bishops messages 69 to 76.

Rev. Dr. HARE asked for the reading of the canon about consecration of churches. It was then read.

Rev. Dr. HARE:—Under the present circumstances, with such information as I have, I shall be obliged to vote against the proposed canon, because I fear in Pennsylvania it will void bequests and other gifts to the vestries. I referred the other day to a law well-known as the Price Law. Although I do not profess to speak with certainty, my impression is a strong one, that that law voids all bequests and gifts which are made to any vestry or body of trustees when that vestry or body of trustees is controlled by any ecclesiastical persons. I may be mistaken, but my impression is a strong one, that the effect of the passage of this canon will be to make legally void in Pennsylvania, gifts to churches.

Rev. Dr. HAIGHT:—I thought the effect of the objection from Pennsylvania had reference to the title. This section enacts that it shall not be lawful to encumber or alienate the property without the consent of the bishop acting by and with the advice of the Standing Committee.

Rev. Dr. HARE:—In other words, there is an overruling inference over the vestry, so that they cannot alienate the property without consulting another body. This law, intended to prevent the accumulation of property in the hands of Roman Catholic Bishops, has the effect, unless I mistake, of making void all gifts to vestries, provided they are under the controlling influence of ecclesiastical persons.

Dr. HAIGHT:—I do not see how it touches this particular point.

Rev. Dr. MEAD:—It affects it directly.

Rev. Dr. HAIGHT:—You might add that this shall

not apply in states where it would conflict with the state law. I move that it be referred back to the committee.

Rev. Mr. HENSHAW, of Rhode Island:—I have an amendment to offer. The amendment I propose is that the following should be added to the canon:

“It shall not be lawful to sell or lease any pew or seat in any church or chapel now consecrated or which may hereafter be consecrated, by auction held within the walls of said church or chapel.”

This amendment was referred together with the proposed canon to the Committee on Canons.

The PRESIDENT appointed the committee on the part of the House with reference to the archives of the Church: Dr. Coit, Mr. Winthrop and Mr. Hamilton Fish.

Rev. Dr. HAIGHT moved that the House concur in message No. 74 from the House of Bishops, continuing the Joint Committee on friendly intercourse with Sweden.

On motion of Rev. Dr. MEAD there was referred to the Committee on Expenses, a resolution appropriating two hundred and fifty dollars for clerkhire, and expenses of the House of Bishops.

Mr. FISH:—I would ask leave of this Convention at this moment, when the chair is temporarily filled, to offer a resolution on which I wish to say nothing, but which I am sure will address itself to the cordial sympathies of this House.

*Resolved*, That this House tender their sincere thanks to the Reverend President for the courteous discharge of the delicate and arduous duties of his responsible position, and that the hearty thanks of the House are given to the Secretary, and the Assistant Secretary, and the Treasurer, for the very satisfactory manner in which they have performed their duties.

These resolutions were unanimously adopted.

Rev. Mr. BRECK offered the following resolution:

*Resolved* That the thanks of this House be presented to the churchmen of this city, and its vicinity, for their generous hospitality during the past three weeks, and that we shall gratefully cherish the remembrance of the many kind attentions tendered to us by their families.

*Resolved*, That the thanks of this House be presented to the Bishop of New York, and the clergy and laity, who have opened their houses for the social gathering of the members of the Convention, thus affording opportunities for delightful interchange of greetings truly refreshing after the close of the more formal engagements of the day.

These resolutions were unanimously adopted.

Rev. Dr. MEAD offered the following resolution, which was adopted:

*Resolved*, That this Convention, in justice to its own feelings, acknowledges its obligations to the Rev. Frederick Ogilby, D. D., and his associates in the Committee of Hospitality raised by the Churchmen of this city for their kind labors in providing for the hospitable reception of the clergy and laity of this House.

Rev. Dr. MEAD also offered the following resolution, which was adopted:



*Resolved*, That the rectors, church-wardens and vestrymen of Trinity Church, and the Church of the Transfiguration, and of Calvary Church of this city, are entitled to the warmest thanks of this House for their liberal provision and kind attention to the wants and convenience of this Convention.

Mr. WELSH:—I second that with the utmost cordiality. My connection has been mainly with the rector of the parish. I must say he is entitled to the most cordial thanks for the attentions he has shown this Convention. He has given his best efforts early and late. He has made the work of the committee very light and very pleasant.

Rev. Dr. MEAD offered the following resolution, which was adopted:

*Resolved*, That when this House adjourns, it adjourn to meet the House of Bishops at Calvary Church, at seven and a half o'clock this evening, to hear the Pastoral Letter, and to join in the closing religious services, and that immediately after the Benediction is pronounced, this House do stand adjourned *sine die*.

Resolutions were adopted expressing the thanks of the House to the Hon. James Kelly, postmaster of this city, and to George Woodward for his courteous attention as post-office clerk during the session.

Rev. Dr. HUNBARD, from the Committee on the Prayer-book, reported a resolution (adopted) with reference to certain memorials presented with regard to the new version of the Nicene Creed—that it was deemed inexpedient.

On motion of the Rev. Dr. Abererombie it was ordered that ten copies of the journal be placed in the hands of the Russo-Greek Committee for exchange for documents, etc.

Message No. 77 from the House of Bishops communicated the following message to be transmitted to the Lord Bishop of London:

*To the Lord Bishop of London:*

The two Houses of General Convention transmit their affectionate condolence to the Church of England on the death of its venerable Primate.

(Signed) B. B. SMITH, *Presiding Bishop*.

On motion of Mr. Welsh the name of the President was added to the communication, and the Secretary was ordered to transmit the message.

Mr. WELSH.—I would like to ask, for information, what is new matter and what is not [with reference to a resolution by the House that after the time of its adoption no new matter should be introduced into the House]. The House of Bishops has sent a request here for two or three things, which the Committee on Canons have said they are indisposed to concur in. I take it for granted that it would not be new matter, because it has been before us before.

The PRESIDENT.—Nothing coming from the House of Bishops can be regarded as new matter; we are bound to act upon whatever they send to us.

Mr. WELSH.—They have sent an earnest petition to this House, one that has given them deep grief, and our

reply has wounded them deeply, and they feel that it has marred not only their happiness but their usefulness. I have perceived that the difficulty is likely to go on and be aggravated with the increase of numbers. Some years since, when I suppose there was some little feeling between the two Houses, we came to the conclusion that the House of Bishops should be put in a position that no other House has been put in. We got the House to agree that every measure that we sent up to the House of Bishops should be returned with reasons if they did not concur, or become a law. They soon found it troublesome. The House of Bishops is increasing, and they say that it compels them to hasty action. For instance, we will be engaged for days on some matter of business, and little or nothing will be sent to the bishops. Then we will get to business and send up there a whole batch of canons; and they will come in just as they get into some important discussion. In the midst of that discussion the Secretary says, "here is a batch of things that have to be acted upon, or they become law." They immediately legislate in great haste. This difficulty is likely to be aggravated with the number of new bishops that are likely to come into the next House of Bishops. The whole House of Bishops feel this difficulty to be a grave one. I think the whole thing is wrong; and I should like to see the number of days taken out, but to leave in the "reasons." They asked us a few days ago to take out the reasons and the days both. We declined to concur. They have not sent any other message, for they feel wounded. There was no offer to have a committee of conference on that subject. We simply sent word back that the request made by them was not concurred in by this House. I think we were wrong there; and I think that any gentleman who would put this House in the condition of the House of Bishops—though it is not possible for a layman to do so fully (however I have occasionally known clergymen who almost thought they were bishops)—if we really feel grateful, I think it is about time we might be a little Church'y, a little kind to our Fathers, that we might consider their difficulty. I should prefer infinitely to take out the time, leaving it to them wholly. I know we have some old-fashioned people, and it might grieve them very much. I would be willing to give the bishops five days. But I would rather have a resolution of this sort passed.

*Resolved*, That the House of Bishops concurring, it be proposed that Article 3 of the Constitution be amended by striking out the words "within three days after the action shall have been reported," so that it shall read thus: "and in all cases the House of Bishops shall signify their approbation or disapprobation, the latter with their reasons in writing, and in failure thereof it shall have the operation of the law."

I am perfectly willing to trust the bishops. I do know what Bishop White designed in founding this Church. I happened to live in the same city; and I do know that he wanted as striking an analogy between this Church and the government of the United States as he could have. We give the President ten days, but he-

tween the Senate and House of Representatives there is no such arrangement. This proposed amendment is clearly right; it is respectful to our Fathers. This will have to go to the next General Convention, and then it will be brought forward three years hence.

Rev. Dr. MEAD.—I have a few words to say on this subject. The first is, that it is rather late in the session to originate new matter. And the question has been once presented and disposed of.

The PRESIDENT.—The only way in which the thing could be introduced would be to move a re-consideration of the action of this House.

Rev. Dr. MEAD.—We are late in the session. The House has now dwindled to a comparatively small number; and I think it would be unwise, by a two-thirds vote, to change that rule which we adopted. But, if it is to be entertained, I have something very serious to say to this House on the subject; and it may bring out that which I referred to the other day, that if certain questions should arise in this House I might be compelled to say something in relation to a matter which would arise upon that proposition, which would make the ears of the members of this House tingle. I hope that the House will not entertain it as entirely new matter. I do not wish to say any thing severe or unkind. But I must do my duty. It is probably the last time (as a man at the age of 73 can scarcely expect to sit again in this body—the 14th time in succession)—it is the last time I shall probably ever be a member of this body, and if this question does come up the House will hear me. I shall be interested to show where the grief lies, not from theory or hearsay, but from the records of this House. I beg the gentleman, if he wishes to spare me and to spare others, that, if this proposition is really in order, it will be voted down.

The PRESIDENT:—Unless you move a reconsideration of the action of this House in nonconcurring with the House of Bishops, you cannot reach this subject.

Mr. WELSH:—The resolution passed a few days since, that no new matter shall be introduced. I move that rule shall be suspended in order to introduce this. It does not require a two-thirds vote; but a simple majority.

Rev. Dr. MEAD:—Is that motion debatable?

The PRESIDENT:—Yes, sir.

Rev. Dr. MEAD:—I wish to say a word to that. In the first place, I ask the question, does it not require a two-thirds vote to change a rule of order?

Rev. Dr. HARE:—If I correctly understand this matter, it is precisely the same thing that was introduced on the last day of the session of 1865; for, I find, by referring to the journal of the last day of the session of 1865, that Mr. Chambers from the Committee on Canons presented a report [in effect striking out the words "three days" as the time for signifying disapprobation by the House of Bishops, and substituting the words "during the session"]. On page 141 we read thus: "A message was

received from the House of Bishops signifying that it has passed the following resolution:

Resolved, That the House of Bishops do non-concur in the action of the House of Clerical and Lay Deputies transmitted to this House in message No. 50, for the reason that it is too late in the session for the due consideration of so important a subject."

If on the last day of the present session we propose a measure which was thus met, how can we reasonably expect a different result? I move to lay it on the table.

The motion to lay upon the table Mr. Welsh's motion to suspend the rule of order, for the purpose of taking up the proposed amendment, was carried by a decisive majority.

Mr. HAMILTON FISH—reported from the Committee on Canons, with reference to the proposed canon, from the House of Bishops, concerning consecration of churches, that they recommended the enactment of the proposed canon with the following additional section:

"Section 2, Provided that this section shall not be operative in any State with the laws of which relating to the title and holding of property by religious corporations the same may conflict."

I move the adoption of the canon as amended by the committee.

The canon was thereupon adopted.

Mr. FISH:—I am also instructed by the committee to submit in the form of a separate canon the proposition offered by the reverend deputy from Rhode Island. I have not had time to reduce it to writing. I ask the House to allow that to be done afterwards. The committee recommend the adoption of a canon to be

"Canon —. It shall not be lawful to sell or lease any pew or seat in any church or chapel now consecrated or which may hereafter be consecrated, by public sale held within the walls of such church or chapel."

Mr. WELSH:—That looks to me a little like sanctioning the thing. I hope we will pause a moment before we pass it hastily. It would look a little as if the General Convention was giving its sanction to the thing. I am afraid if that should become a canon it would be referred to as warranting this sale. After a thing has been consecrated and put upon God's altar we go there and take that back again. I hope gentlemen will think a moment.

Rev. Dr. BEARDSLEY:—I think that canon would operate hardly in many of our parishes in Connecticut. We sell our seats annually in the majority of our parishes, but no auctioneer comes in to many of the churches. Take, for instance, my own parish. The day for renting the seats is published, and one of the vestry is selected to receive the bids of the different parishioners. Everything is conducted with perfect decorum. The parishioners are assembled, the men with their hats off, just as much as if there was a service. We do not regard ourselves as guilty of any want of decorum in the proceedings. I think the vestries of the different parishes in Connecticut would resist such a canon as this; they would think it was interfering with their rights very



much. It is a custom that has been established with us from time immemorial; and there certainly ought to be some exceptions made to it if adopted. My wish would be that this thing should be postponed to the next General Convention. I do not think we have had sufficient time to consider it; and by the next Convention, if it be spread upon our minutes, we can see what will come up.

Rev. Dr. MEAD—said that the practice of selling pews had a tendency to destroy the veneration of the people for their places of worship; that for instance he had known that on the occasion of such sales, the pew-holders regardless of the sacredness of the place would come in with their hats on. Dissensions, quarrels of women as well as of men, arise from the practice. The clergy need something like this canon, and the practice will be changed. He gave an instance where the practice had already been changed—where the sale of pews took place, in some other place than the church, with reference to a diagram of the pews.

Rev. Mr. HENSHAW—described the sale of pews, where the auctioneer's flag was seen flying from the door of the church about mid day; the auctioneer was in the church with his hammer in his hand; persons who have held seats in that church for years and have paid the rental which has been required by the corporation or vestry, are displaced by some new comers because the original pew-holders are unable to pay such a premium for a choice as those who step into the church for the first time. There within the consecrated walls of the church, the auctioneer with the hammer in his hand knocks down a pew for a new-comer and turns out the family that have been communicants in that church for a score of years.

Rev. Dr. BEARDSLEY:—I think that that does not apply to our case.

A DEPUTY—deprecated the introduction of this measure at a time when several entire delegations had left under the impression that no new matter would be introduced.

Rev. Dr. MEAD:—It was moved as an amendment to matter which had already been before the House. It is not new matter. Any new amendment offered is not new matter.

The motion to lay the resolution on the table was lost.

Rev. Mr. WHITE, of Pittsburg:—I would like to offer a substitute or an amendment. It strikes me that this canon does not go far enough. I would offer the following amendment:

"It shall not be lawful for the authorities of a church once consecrated, to use it for any unhallowed, common, or ordinary use."

This is taken from the Consecration Service. It will bind the authorities of the church to carry out the intention of the church.

Mr. HAMILTON FISH—thought that was already provided for.

Rev. Dr. HAIGHT, [in the Chair]:—That is not in order.

A DEPUTY: I am much in favor of the principle of the canon; but I beg to ask how this canon could be enforced.

Rev. Dr. ADAMS:—I would wish to state a little instance in reference to this proposed resolution on canons, which will move the House toward adopting it. Some twenty years ago, I brought forward in Hugh Davey Evans's "True Catholic," this very instance. I showed the auctioneer in the chancel cutting up his jokes, with his papers on the table, and desecrating it in the very way we all know has taken place. The simple circumstance I would state is this: That article came into the hands of a prominent auctioneer of this city, who was certainly an eminent business man, if ever any man was, and he said to Rev. Dr. Muhlenburg, 'Well, doctor, I never thought of that; I see it is wrong.' I would say to this Church that the essential object of the Church of God is the information and instruction of the consciences of its communicants, and that there are many honest men and women who are doing wrong with regard to this matter, simply through thoughtlessness. I would say, pass such a resolution condemning the practice of desecrating the House of God by the jokes of the auctioneer, however innocent in other places. Instruct the masses who are at present going on doing what is indecorous. It will be a protection for the clergyman, who has but one single voice, and would perhaps do much to prevent this thing. But when the Church in General Convention instructs him that it is unsuitable, it puts behind him the force of the Church's opinion. It suggests to the people the unsuitableness of it; it teaches them, and in every way does good. I do not want to make more speeches than are necessary, but these two considerations are, I think, worthy to be submitted to the clergy and laity of this Church, with reference to such a resolution.

A DEPUTY:—I beg to call attention to the consecration of office [speaker then read from the consecration office, the supplication for the Lord to be present with those who are gathered together, with all humility of heart to consecrate this place]. Now, it seems to me that passing a canon like this is simply doing what has been done in the Consecration Service of the Church.

Another DEPUTY:—I object to this canon that it is too much like special legislation. It is offered because it is considered a desecration of the church. I don't see why this single mode of desecrating a church should be singled out. Many think it is wrong to sell or rent pews at all. The passage of this is an expression of an opinion that it is not wrong, provided it is not done in the church. But this is not a desecration any more than other business. I think the opinion has been expressed in this church that some arrangements should be made for holding a General Convention in other buildings than churches. This is a business of the Church. And the desecration of the church by selling pews is not a neces-

sary consequence no more than any other business transacted in the church. Such things as hanging auctioneers' flags at the door of a church are not necessary. In the church that I am in the habit of attending, our minister makes it his business to see that the thing is done with strict propriety. I think it is too late in the session to consider it at this time. If any action is necessary, it should be a general one, and embracing all modes in which a church can be desecrated.

The motion to defer the further consideration of this matter to the next General Convention was lost.

A DEPUTY suggested that it should be put in the form of a concurrent resolution.

Rev. Dr. MEAD:—A resolution of this House is all we want.

Rev. Dr. HARE—hoped because it was the last day of the session, no unnecessary legislation would be had, in order to have business transacted. He thought a recommendatory resolution with reference to the matter, would be effectual as in the case of associated rectorships, which, being declared by resolution of the Convention to be inconsistent with the greatest good of congregations, ceased to be. It had ever been the custom of the Convention to avoid excessive legislation. He would like the indecorum which it is intended to prevent, prevented.

Rev. Dr. MEAD—would be perfectly satisfied with such action. The churchmanship of his parish was such that the simple expression of the opinion of this respectable House would be all that would be needed to have every necessary decorum in the matter.

A DEPUTY from Connecticut said that would be satisfactory to him provided it could be made to reach every parish in the land, and not simply to go upon the Journal and pass from memory as many resolutions had.

The PRESIDENT:—The rectors will have to bring it to the notice of their parishes.

The secretary then read the proposed canon changed into the form of a resolution, as follows:

*Resolved*, As the sense of this House, that it is improper to sell or lease any pew or seat in any consecrated church or chapel by public sale held within the walls of such church or chapel.

Rev. Dr. PADDOCK:—I want to suggest an amendment to that, namely, that the "House of Bishops concurring, it is the sense of this Convention," etc., so as to turn it into a joint resolution, instead of an expression of the mind of this House simply. The House of Bishops will concur in such a resolution.

Rev. Dr. HUBBARD—(who had suggested the resolution-form), accepted the amendment.

A DEPUTY suggested that the word "wrong" should be substituted in the place of the word "improper" as stronger; but the amendment was not accepted.

Rev. Dr. MAHAN:—I wish the subject could be brought before this House and more thoroughly considered as to what is the nature of resolutions of this kind.

At the same time, it seems to me, that from the course of our legislation there is apt to be such an accumulation of canons, etc., that they would gradually lose their effect upon the minds of the Church; especially these resolutions are apt to lose their effect because they are so little understood, as to what their effect may be. There is no use to attempt to legislate unless it is in the proper form of legislation, namely, a canon. I do not think any time would be lost, to wait until we had that matter in such a shape that we could make a canon of it. If we pass the resolution, that is regarded as covering the case in some measure, and it will greatly increase the difficulty when we desire to make a canon of it. It strikes me on the whole as more wise to defer this matter, and at the next General Convention let it be thoroughly considered and brought into proper shape for a canon.

Rev. Dr. MEAD:—The House has just refused to do that by a vote.

Rev. Dr. MAHAN:—I make these remarks merely for the purpose of personal explanation. I would like to give some reasons for not voting for a measure of this kind when it really expresses what I desire. I am not opposed to it, but I think such a measure is important enough for us to make a canon of it; therefore I would rather wait until we can make a canon.

Rev. Dr. HOWE:—Perhaps the objection which the Reverend gentleman from Maryland makes would be removed if we ordered it, being a concurrent resolution of both houses, to be placed immediately after the canons, in a conspicuous place.

Rev. Dr. HUBBARD:—My objection to making it a part of the canon law is, that I would be unwilling to introduce into the canon laws a recognition of the selling of pews in the house of God.

Rev. Dr. LABAGH:—If we do anything on this subject I humbly submit that we should do it in the form of a canon. It has been admitted from time to time that resolutions passed are lost sight of in the great body of resolutions. We have had for sixty years a resolution of this House that this year has been adopted in the form of a canon. Ever since 1808 there has been a resolution that no clergyman should unite in marriage persons who had been divorced, either party living, except on account of adultery. The ground has been taken that that resolution has been inoperative, and has produced no effect, and that it has become necessary, on account of the growing evil, to put this in the form of a canon to make it operative and give it effect. Now put this in the form of a resolution, and it goes on the minutes. Very few of our clergy have all the minutes. A new man comes in and he knows nothing about these resolutions. Must he hunt through the minutes of the past Conventions to find out the sense of this body. Almost every clergyman possesses himself of a copy of the canons, and if this were a canon he would see it. If it is made a resolution, it will be like the resolution which



has lain among our minutes sixty years, and which we have just found it necessary, to give it effect, to put in the form of a canon. If we do anything on this subject, if it is sufficiently important that the mind of the Church should be expressed, we should put it in the form of a canon.

The Secretary then read the resolution as amended making it a joint resolution.

Mr. WELSH:—I understand that it is changed from a canon to a resolution. I think the resolution of that kind is like that law of an ancient nation, that a person might steal if he were not found out. If I understand this resolution aright, it represents that the wrong is only in the mode of doing it. I think the wrong is in the thing itself.

The resolution was then adopted.

Rev. Dr. HAIGHT—announced the receipt of a second communication from Prof. Barnard with regard to the cycle. On his motion it was referred to the Joint Committee on the Prayer Book.

On motion of the Rev. Dr. Haight it was ordered that the Secretary furnish bound copies of the Journal to persons paying the cost of binding.

#### CLOSING ADDRESS OF THE PRESIDENT.

Gentlemen, as it is not probable that we shall meet again in the same relation which we now hold to each other, I hope the House will indulge me to say from my place,—the place with which you have honored me—two or three things that press upon my heart, and which would not be merely an ordinary farewell. It is but the reiteration of the common feeling and the general expression of all who have attended the sessions of this House, to utter my assured conviction that the extraordinary harmony and the cordial courtesy, and the manifestation of fraternal affection, which have distinguished the deliberations of this body from its commencement to its close could have come, under the circumstances in which we have been placed and with the exciting questions which have been before us, from no other source than the guidance and presiding influence of the Holy Ghost. For this precious gift and grace of God let us render to Him all the praise and gratitude of which our poor hearts are capable. We humbly and thankfully take it for an earnest that God will continue to be gracious to this Branch of His Church, and designs her, small as she is, to exert a blessed influence in moulding the character and shaping the destiny of this new world in which our lot is cast. He will control and overrule, I am persuaded, the agitations and aberrations of the day to greater good than we now contemplate. These are but the signs and have been the necessities of a more exuberant life than we have had before. As that life expresses itself in the one direction upon which our minds have been fixed here, all of us will agree to maintain and preserve all that truly tends to produce those two things which God has so emphatically consecrated in His public worship—beauty and glory; while

we reject all that is tawdry, mean, and trifling in that public worship. And as far as, on either hand, this teeming life has degenerated into false doctrine and disloyalty to the Church, men of mere subjective faith will go to their own place, out of the Church, following Newman and Manning, on the one side, or Colenso and Baptist Noel on the other. Even so, this will but purify and strengthen the Church.

But the most important and continuing subject of gratulation in this American Church, to my mind, is the fidelity with which we have adhered to the Divinely given pattern of a Christian Council by making the laity an essential portion of such Council. Our now extended experience in the practical working of this Divine pattern enables us to say confidently to our brethren in England and the new provinces of England who are trying to bring their synodal organization to a higher standard, that the lay element in this body has at all times been at once progressive and eminently conservative, that it is an effectual preservative against caste legislation, and in my opinion contributes largely to the dignity, courtesy, and high character of this General Convention.

The Church, I trust, my brethren, is rising to a higher estimation of her powers and capabilities. Each of her ministers has begun already and will continue more and more to be not merely a workman himself but the leader and guide of a body of working people. It seems to me the only way in which we can fulfil our mission in evangelizing this country is for the laity to occupy by lay-reading under the control, and with the assistance, of their respective ministers every accessible position where the Church can be planted,—thus every minister multiplying himself and his authority almost indefinitely. Gentlemen, I thank you for your attention. I thank you for your indulgence to me through all this long session, and in the sacred services to-night we will bid each other affectionately farewell.

On motion, by an unanimous vote, the address of the President was ordered to be entered on the Journal of the House.

Messages Nos. 78 to 85 were here received from the House of Bishops; No. 85 relating to the nomination by the House of Bishops of Ozi W. Whitaker as Missionary Bishop for Nevada and Arizona.

Rev. Dr. MEAD—moved concurrence in the nomination of Missionary Bishop for Nevada and Arizona.

Rev. Dr. MANAN:—Would it not be right to inquire at this crisis whether anything is known in the House, of the gentleman whom we are called upon to vote for?

Rev. Dr. ADAMS:—I have to say that Bishop Talbot has been in the House and testifies that he has been a presbyter under his care, and that he is a very admirable man; he is a graduate of the Theological Seminary.

Rev. Dr. VAN DEUSEN:—The Right Reverend Assistant Bishop of Indiana is the Bishop who nominated him as Missionary Bishop. I am authorized to present

certificates connected with Mr. Whitaker's former history, that I think will be calculated to relieve the mind of the Convention of any doubt in consenting to his nomination. [A biographical sketch of the nominee was then read, concluding with the statement that "he is not in sympathy with radical views."]

Rev. Dr. GOODWIN:—I would like to inquire what is meant by radical views. [Laughter.]

Hon. Mr. RUGGLES:—How many parishes are there in the proposed diocese?

Rev. Dr. HAIGHT:—It is a missionary jurisdiction.

Rev. Dr. MEAD [in the Chair]:—The Chair will take opportunity to state to the House that from a statement of some Bishops he is well satisfied of the acceptableness of the character of the person elected, that he was unanimously elected to the House of Bishops.

Rev. Dr. VAN DEUSEN:—I would add to what I have said that Bishop Odenheimer of New Jersey and Bishop Bedell of Ohio endorse Mr. Whitaker.

Rev. Dr. MEAD—in answer to an inquiry by Dr. Adams said, that a majority of the quorum of the House would be sufficient to elect.

The House then proceeded to vote by dioceses and orders; Rev. Dr. Mahan and Hon. S. B. Ruggles being tellers.

Rev. Dr. LITTLEJOHN—moved that the vote be the order of the day at four o'clock, he was not prepared to vote now.

Rev. Dr. SHELTON:—I do not wish to make a great point in this case, but I wish to make my protest against such a course of conduct as this. The Bishops should have given us this nomination long ago, not have put it off until this last hour when we are on the eve of taking our leave. It exposes us to great hazard. It is true they say that they are well satisfied; that ought in general to be satisfactory to us. But I know that men are liable to make mistakes; and under circumstances of this kind we ought not to be exposed to making the mistake they put us in danger of making. We may make a gross mistake. I for one do not want to be put in this position. We are called upon, without any knowledge of the person, to put our names to a thing which testifies that we are perfectly satisfied. The Scriptures tell us that [consecrating] hands should be laid suddenly upon no man. For one I do not feel disposed to sign the document.

A DEPUTY:—Some members of this House understood, a few days since, indirectly, of course, that no action would be taken, during the present session of the Convention, to fill that post. This measure comes very unexpectedly, I am sure, upon many members of this House, as upon myself. If pressed now to vote, the inevitable vote would be, however reluctant, against concurrence.

Rev. Dr. GOODWIN:—I should find relief in this case, in the fact that it is expressly announced to us from the House of Bishops that the election in that House is

unanimous. I suppose they expressly put that into the message in order to apologize for their lateness in sending to us this nomination. I do not mean to say it should control us; but if they were unanimous I should feel more at liberty.

Hon. S. B. RUGGLES:—I cannot but think, and I wish to call the attention of the House to what is a broad proposition, that it is not quite in order, nor consistent with the privileges of this House, to adduce the example of the other House, either its unanimity or want of unanimity. I think it is not a proper reference, to cite the action of the other House to influence our judgment, which ought to be independent of the action of the other House.

Rev. Dr. HAIGHT:—I understood from one of the Bishops who was in the house that, in case this action should fail, owing to want of attendance, it really would make no difference, as the presiding Bishop would call a special session of the House of Bishops, to mature and make a nomination, and send it down to the Standing Committees. I feel very much pressed by the consideration of want of time. At the same time, I feel very reluctant to oppose it, or give my vote against a unanimous recommendation of the House of Bishops in regard to a person of whom I know nothing at all; never having heard his name mentioned but once before.

Rev. Dr. MEAD:—The views of the Deputy from New York are not sustained by the only canon under which the Bishops can act, which authorizes them, in case of vacancy in any missionary jurisdiction of a Bishop already elected, to act in the matter proposed. This Bishop is not elected; and unless he is elected, they will not have the power for three years to fill the vacancy.

Rev. Dr. GOODWIN:—I said I did not suppose that this action of the House of Bishops should control the action of this House, but I supposed the announcement of the unanimity of the House of Bishops might be considered some evidence to this House, who are ignorant in regard to the person nominated. I only know he does not hold radical views. [Laughter.] This is, to my mind, some degree of evidence that he is a proper man. If I had any knowledge to the contrary, their unanimous vote would not have the weight of a feather in controlling my vote.

The PRESIDENT said he did not think the Standing Committees could possibly have anything to do with this matter.

Rev. Dr. ADAMS:—Bishop Talbot has given personal information in regard to this gentleman which I have communicated to this House. If any gentleman has personal knowledge of him, I think it should be brought before this House.

Hon. S. B. RUGGLES:—To make any statement of the action of the upper House is a breach of privilege.

Rev. Dr. MEAD:—The message itself contains that



statement, and they have a perfect right to make it. If a measure is passed by us unanimously, they are entitled to know that, and we are entitled to know whether they have done anything unanimously.

Hon. S. B. RUGGLES:—It is not a want of confidence in our Right Reverend Fathers; but I do say for the example of one of two legislative bodies to be introduced into the other, is an interference with the rights of that body. I protest against the principle, as contrary to parliamentary principles, of having the action of the other House adduced in this.

A DEPUTY:—It is very important that this matter should be acted upon this afternoon. The matter might well lie until four o'clock, but it should be disposed of this afternoon. The history of the Church in Nebraska during the last three years shows the decided importance of having a Missionary Bishop; and this country, that is now provided for by this resolution of the House of Bishops, will go unattended to, to a very great degree, if we do not concur in their action. It is true, the presiding Bishop may designate some other Bishop of the Church to exercise the jurisdiction there. But it is a section of the country lying very far from the residence of any other Bishop, and, to a very considerable extent, inaccessible; and the country cannot have the immediate supervision which it requires unless this action be taken this afternoon. It is well enough to let it lie until four o'clock, that the members of this House may advise this House with respect to the nominee, but it is important that it should be disposed of before the final adjournment. As to qualifications, it seems to me quite enough that a member of this House should testify in such an unqualified and specific manner, as he has. Then superadd to that, that he is a man who, with all these high qualifications, has gone out from a country where he could have enjoyed the blessings and advantages of civilization, and spent six years in such a country as Nevada. It shows that he has in his heart the right sort of spirit. Such testimonials seem to me to be sufficient.

Rev. Dr. HARE:—I hope the vote will not prove to be unsatisfactory with regard to this gentleman. The other day, on the nomination of the House of Bishops, we elected a Reverend gentleman who is already in the possession of competent means of maintenance. I fear that the facts of that case may, by possibility, hinder the Church from the benefit of enjoying his ministrations. The fact that this gentleman is already in the field to-day is a strong argument in his favor; and I only hope that we shall have such additional testimony, over and above that from the House of Bishops, as to enable us to sign his testimonials.

Rev. Dr. DEKOVEN:—I simply want to say what I suppose has been said before. The fact is, our House is exceedingly empty. Whole delegations are away, and it is hardly proper and right, under these circumstances, that we are called upon to make a choice which, once

made, is irrevocable. I beg leave to say also that we do not know but that the House of Bishops may be equally uninformed, and that consequently a unanimous decision on their part may not be the same as if it had taken place several days ago. It does seem to me an important thing that this House should be able to testify upon its own knowledge of the qualifications of any man for so important a work. And I would like to inquire whether there is any person on the floor of this House who is able, of personal knowledge—I do not mean by hearsay, by the report of this or that Bishop, or person—to testify of the qualifications of the gentleman nominated to this House. And if there be no such person, I submit whether this House ought to take this important action.

MESSAGE No. 86 from the House of Bishops was here received, announcing the appointment of the Bishop of Maryland and the Bishop of Connecticut as members, on their part, of the Joint Committee on Theological studies.

The SECRETARY announced that the message sent to the Bishop of London had been transmitted, and was in England by that time.

Rev. Dr. DEKOVEN (continuing):—I want to say further, that with regard to this territory, there was once before, at a previous General Convention, a nomination to this jurisdiction; and the nomination was declined. I believe that the House of Bishops did not make a further nomination because it was said that the population of the territory had diminished; and Nevada was placed under the charge of the Bishop of California; who I believe has visited it; and I suppose that it would be no harm for it to remain under his supervision for the next three years. It does seem to me that it would be a great deal better to put off the matter, if it be in our power to do so, until the next General Convention.

The SECRETARY of the House of Bishops—announced that he was instructed to inform the House of Clerical and Lay Deputies that they were prepared to adjourn and they propose to hold a session this evening, for the reading of the Pastoral Letter at Calvary Church.

Mr. HAMILTON FISH—offered a joint resolution, which was adopted, changing the name of the Freedmen's Commission to the name of Home Missionary Commission for Colored People.

Rev. Dr. MEAD:—If I may be permitted once more to say a few words, perhaps I may satisfy the tender consciences of some members of this House in the most important step we have to take. With regard to the introduction of persons into the ministry of this Church, the canons of the Church require personal knowledge, or, if that cannot be had, satisfactory evidence. Personal knowledge is not absolutely required. Gentlemen have spoken about the Bishops taking this matter in hand after we adjourned, and sending it down to the standing committees. What would be the condition of the standing committees? What better evidence would they have

than is now presented to us. When a whole House of Bishops present a nomination to us, are we sceptical? It appears to me to be preposterous. I would humbly and respectfully beg at this late hour that we should promptly act upon this question. Moreover here is a man who is on the spot, who knows what the work is; a man who has been successful in his work. We have sufficient authority for that statement. And moreover he is a man, we are to presume, of sufficient learning. He is a graduate of one of the highest literary institutions in the United States, Harvard University; and he is a graduate of the Theological Seminary. Is not this collateral testimony. Then away, dear brethren, with this doubt and hesitation, because it is impossible to doubt the wisdom, prudence, and integrity of our bishops.

Rev. Dr. HAIGHT:—I have availed myself of certain opportunities which I have had to inquire with regard to this gentleman, and I have come to the conclusion to cast my vote heartily in his favor. I think if gentlemen will take the trouble to satisfy themselves, they can soon do so, but I should not hesitate one instant after the argument and appeal which my honored and reverend friend has just made to this House.

Rev. Mr. BRECK:—I have grave difficulties with regard to this matter; and it is a difficult kind of subject, this matter of getting information with regard to gentlemen; and it is a thing which gentlemen hesitate to express on this floor, however willing they may be to express themselves privately. We have had the names of one or two bishops brought in, and I don't know whether it is proper for us to be thus influenced by the endorsement of the bishops. The whole of the bishops were not there; it is a thin House, and we might go and ask did such and such a bishop in the immediate vicinity of this gentleman endorse him, and we might find that he did not endorse him—that he was not satisfied that he was the proper person to be elected.

A DEPUTY—hoped this would not be sent to the Standing Committees.

The PRESIDENT:—It cannot be sent to the Standing Committees under the present state of the law.

A DEPUTY:—I understand we are not without some record as to this gentleman in the history of the Church. I am informed that in the *Spirit of Missions* there is a testimony given for an incidental purpose, and therefore more disinterested, from the Bishop of California, as to the excellence of the work which this gentleman has done in the region where he is now laboring. I am told that he bears the fullest testimonials as to success and the possession of all the qualities we could desire in a bishop in that region. I think we may assume with the testimonials given here and there, that he presents himself with claims upon our confidence. This gentleman was a minister, I believe, under the supervision of Bishop Talbot, when he had jurisdiction in that section. After the division of the missionary jurisdiction of the North-West, and after the declinature of Dr. Howe, that country was placed under the episcopal jurisdiction of Bishop

Kip. I am informed that Bishop Talbot and Bishop Kip under whom he has been working for the last three years, not only endorse him, but in the House of Bishops spoke in his behalf very warmly.

The PRESIDENT:—That testimony would not be proper to refer to here.

The DEPUTY.—I withdraw it. [Laughter.]

Mr. WELSH.—When the name was first mentioned I was not prepared to sign; but since then I have obtained information, not from the House of Bishops, which has perfectly satisfied me.

Rev. Dr. MAHAN.—Could not a little of that information be adduced in this House. I for one would like extremely to have a little information concerning him. I can not take the mere fact that other persons have been satisfied, because I don't know what would satisfy them; and I think if they would impart to us a little of the information that has satisfied their minds, it might remove the difficulty which we feel.

Mr. HANSON, of Alabama.—I should be unwilling to refuse to sign the testimonials; but after what has been said, I am exactly in the difficulty of the Reverend deputy from Maryland. I should like to have some positive testimony. It does seem to me a remarkable circumstance—that the gentleman who has been unanimously recommended by the House of Bishops as qualified to fill that high episcopal office, should have no gentleman in this House, large as it is, who is personally acquainted with him, and capable of rising up here and testifying to his character; and I hope if there is any such person present—as I am sure there must be—we shall have the desired information.

A DEPUTY.—I understand this gentleman has spent his whole ministerial life in the field where he is; and if so, his very qualifications account for this want of testimony to these qualifications. He has been working in Nevada, and there is nobody to testify concerning him except Bishop Kip. I hardly think it fair to say because a man has spent his life in the missionary field, and has had no one to look upon his work and testify of it, therefore he is not a man to be a bishop.

On the suggestion of the Rev. Dr. Mead, previous to signing the testimonials the House united in silent devotion.

On motion the House proceeded to ballot upon the confirmation.

Message No. 87 was here received from the House of Bishops, announcing the adoption of the change of name of the Freedmen's Commission to the Home Missionary Commission for Colored People.

The ballot resulted as follows:

27 dioceses voting—ayes 18, noes 7, divided 2; lay vote—22 dioceses voting—ayes 14, noes 8.

The Rev. Ozi W. Whitaker was thereupon declared elected bishop.

The members of the House then rose and chanted *Gloria in Excelsis*.



On motion the House proceeded to sign the testimonials of Bishop Whitaker.

The PRESIDENT.—I take the opportunity to state that in conversation with the Secretary of the House, I am informed that he has been familiar with the character of this person, and that he is a man of the noblest character and highest qualifications.

Rev. Dr. MAHAN.—There is a matter of business that has been passed over with regard to the Committee on Interchange with the Swedish Church. It was sent down from the House of Bishops, recommending that the committee be continued. I propose that we concur in the recommendation.

The House thereupon concurred in the recommendation.

Rev. Dr. MAHAN nominated Judge Otis, of Illinois, and the Rev. Dr. Paddock, of Michigan, to fill vacancies on the part of the House; which nominations were adopted.

On motion the Secretary was instructed to transmit to the House of Bishops the certificate of the election of Bishop Whitaker.

The Minutes of this day's proceedings were then read and approved.

The House thereupon adjourned, to meet the House of Bishops at Calvary Church, at 7½ P. M.

#### EVENING.

Divine service was held in Calvary Church, in accordance with the joint arrangements of the two Houses. Evening Prayer was begun by the Bishop of California, the Missionary Bishop of the South-west reading the First Lesson, and the Missionary Bishop of Colorado the Second. The Bishop of Ohio said the Creed and the Prayers. The 79th Selection was then sung; after which the Bishop of Kentucky read the *Pastoral Letter of the House of Bishops*. The Bishop of Wisconsin read the Collects at closing, and the Bishop of Kentucky gave the Benediction.

### PASTORAL LETTER FROM THE HOUSE OF BISHOPS.

BRETHREN, BELOVED IN THE LORD:

The Incarnate God hath committed to fallible men that great commission wherewith He came into the world, from the Father who sent Him. But, to His ministers, thus weak and subject to error, He hath given His holy and infallible Word, that, without peril of misleading His flock we may instruct them, with all authority, by speaking always according to the Scriptures. It is therefore our duty, and with gladness we perform it, to address the Churches committed to our care, in the Pastoral Letter which our brethren, the clergy and laity, assembled in this Convention, have asked from their chief Pastors.

First, we give praise to Almighty God for the good examples of our brethren who have rested from their labours. It is now nine years since we met with full representation of all our Dioceses. In this period sixteen of our venerable brethren in the Episcopate, of whom two were presiding Bishops, have departed this life. A mortality so unusual impresses your Bishops with a deep sense of the shortness and uncertainty of their own future upon earth, and leads them to address you with the greater solemnity.

It is our duty to make grateful mention of that measure of spiritual increase and of growth in numbers and resources, of which there is abundant evi-

dence in the official returns of our several Dioceses and Missionary jurisdictions. To God's holy Name be all the glory. but to us confusion of face in view of the unprofitable services which have so much limited the operations of the Divine mercy amongst us.

Great has been our consolation amid many trials of our faith and patience, in the entire restoration of our unity as a National Church. Amid the unusual excitements of the day, let us bless Almighty God that our great Council has met, with a full representation of our churches in all parts of the land; and with a wonderful harmony of purpose and of action, is about to close a long session, from which many who understand us not, had augured confusion, and every evil work. We lament that while the labours of our Missionaries, at home and abroad, have been so noble and so fruitful, the offerings of the churches by which they should have been bountifully sustained, have not been commensurately abundant. Yet we must not forget that much has been done for the support of Missions and of Missionary institutions, which does not appear in official reports. The zeal and co-operative labours of our people are steadily increasing, and we pray that they may be more and more enlarged and rewarded.

The work of organized benevolence, in manifold

forms, has been considerably developed, and we rejoice that among such efforts, praiseworthy and successful exertions have not been wanting in behalf of the most wretched and abandoned of sinners and sufferers.

Christian education is receiving an enlarged measure of practical attention, and schools of the parish and the diocese have been, to a cheering extent multiplied and effectively worked.

The Christian family is more and more regarded among us as the Divine Institution, on which the Church itself mainly relies for its prosperity, and to which nothing less than the succors and heavenly consolations of the Church of Christ can impart the means of perpetuity and perfection. It is believed that the legislation of this Convention will be found to have contributed, not a little, to the purity and sanctification of the households of our Communion.

The work of the Church, as now set before us by Divine Providence, demands a word of exhortation. We confide in our reverend brethren the Clergy, to continue their labours for the salvation of souls with more self-devotion, and greater prayerfulness and dependence on the power of God the Holy Ghost.

But corresponding efforts to sustain them in such labours are required of the Laity; and we rejoice that they have specially moved us to urge upon them, in this Pastoral address, the duty of ministering to those who are set over them in the Lord, "in all good things." Not only the future happiness of immortal souls, but even the temporal well-being of the Nation, is absolutely dependent upon the perpetuation among us of the offices of our Holy Religion. These can be afforded only by a due supply of well-trained men, ministering the Word and Sacraments, and it is the Law of Christ that, "they who preach the Gospel shall live of the Gospel." We press these principles, earnestly, upon the consciences of all those who expect to give an account unto Him who said unto His servants, "whosoever receiveth you receiveth Me, and whosoever despiseth you despiseth Me."

Much thought has been given by your bishops, as well as by members of the other House in this Convention, to the necessity of enlarged associated effort in works of Mercy and Education. Much that needs to be done can be accomplished in no other way; and we are sure that men and women can be found, "the love of Christ constraining them," who will not withhold themselves from lives of labour and self-denial, in ministering to the sick and needy, in caring for the aged, and in training

the young. Though nothing more than a decent maintenance can be expected by such devoted servants of Christ, it must be remembered that nothing more than this is realized by thousands who sacrifice not only their bodies but their souls, in hope of this world's gain. Let it be understood that the sort of associations we thus commend must be wholly free from ensnaring vows, or enforced confessions, and in all things subject to Canonical and Diocesan authority.

The social habits of our country afford to women, even in the humbler walks of life, a degree of exemption from toil and industrial activity, unknown in other countries, except among the opulent. Hence thousands of "women professing godliness," dwell among us, like those rebuked, in Holy Scriptures, as "women who live at ease, and as careless daughters." It is not our desire merely to suggest the need of a reform of idleness and self-indulgence, but rather to awaken convictions that are dormant, and to enlist affections and energies that are undeveloped. It is the peculiar work of woman, in Christian society, to furnish, in manifold domestic and social offices, and in works of mercy, spiritual as well as physical, a pattern "of whatsoever things are pure and lovely and of good report."

It is a matter of painful observation to your Bishops, that, more especially in larger towns and great cities, where the need and the opportunities for continual public worship are greatest, the churches are too little used, at all seasons, and often, in the summer months are closed, even upon the day of the Lord. It is not unusual, in England, for four or five services to be celebrated, in a parish-church, on Sundays, for successive congregations, to say nothing of week-day prayers, with homilies and exhortations. In consecrated houses there can be no private ownership that is not entirely subordinate to the ownership of God Himself, and the uses of all His children; and, while we rejoice in the multiplication of churches, professedly free, provided they are properly maintained, we suggest that hundreds of our churches, apart from the ordinary services of the Lord's Day, might be freely opened to all comers, for the ministrations of the blessed Gospel. City missions might thus be carried on, in many places, without the expense of erecting superfluous and inferior churches, and the means thus saved might be used for the support of the requisite Missionary Clergy.

But everything must languish in the Church un-



til all our families are made truly Christian, and until there is, as of old, a church in every house. We fear that the old duties of family prayer, of the daily reading of God's Holy word, and of parental catechising, are too much neglected. Examples of manly piety are not abundant, and fathers too often forget that they are priests in their own houses. It is not too much to say, that the secret of many an unhappy household is thus pointed out, and that no house stands firm that does not rest on the sure foundation and the blessed Corner-Stone.

While, however, we thus speak to you of the manifold trusts which the adorable Head of the Church has committed to our hands, we cannot forget that the Church has a warfare to accomplish as well as a work to do. Varying in its forms as the ages pass along, this warfare is notwithstanding always the same, because it is always incited by the same enemies of our salvation, and always directed against the Faith and the Life of the Church. We should be faithless to our trust, did we not say something of the dangers and devices which beset the Redeemer's fold and peril the life of the souls which He hath purchased with His precious blood.

A covert infidelity which borrows the language of God's lively oracles, even while it seeks to destroy them; which, under the guise of a candid and searching criticism brings to nought the Holy Scriptures; which uses sounding words about our blessed Lord while it denies to Him every attribute of Divinity, and takes away from His offices and His work every characteristic on which our fallen humanity can rest for its salvation; which puts a self-perfected human nature in place of the new man in Christ Jesus, stands foremost among these dangers. Presented in unnumbered forms, widely infecting the popular literature, insinuated by methods as unsuspected as they are prevalent, the utmost watchfulness is needed to guard against this evil. Most earnestly and solemnly do we warn and exhort the pastors of Christ's flock so to indoctrinate the people of their charge as to protect them against the threatening peril, and so to feed His sheep and His lambs that they be not enticed into poisonous pastures to the destruction of their souls.

That extreme individualism which in matters pertaining to salvation, shuts up each man to himself, presents another danger. It is, indeed, an error to merge the proper individuality of every soul in its corporate relations to the Body of Christ. But the necessity of membership in that body is, notwithstanding, a truth of such vital importance,

and the institutions of Christ which involve it are so positively enforced in Scripture that their general neglect, and the indifference which despises them are errors more general and alarming. Let it be constantly impressed on the consciences of our people that, though each soul is individually responsible to God for grace and spiritual help, Heavenly grace and help are, nevertheless, to be sought by Divine commandment, in that communion of which the Head is Christ.

The unscriptural and uncatholic pretensions of the Bishop of Rome, as in times past so now, are a fruitful source of error and of evil. They constitute to-day, as they have done for many centuries, the great bar to the restoration of the unity of Christendom. We, therefore, urge upon our brethren of the Clergy, the duty of teaching their people the true law of a scriptural and catholic unity, the adorable and living centre of which is none other than Jesus Christ, our Lord; the inspiring source of which is His true Vicar, the Holy Ghost; and the visible expression of which is the "Apostles' doctrine, and fellowship, the breaking of bread and prayers."

In this connexion we are constrained to warn you against the attempts now made, to disparage our Anglican Reformation. These attempts challenge and would warrant severer terms than we choose, in this Letter, to employ. It is always easy to point out imperfections in the characters of those whom God has placed in eminent positions of duty and responsibility. Infidelity has chosen this form of attack on some of the most illustrious names recorded for our example in Holy Scriptures. Such attacks, we believe, will only add fresh lustre to the names of our martyred bishops and doctors, and give fresh prominence and power to that great result of our Reformation, the maintenance of "the Faith in its purity and integrity, as taught in the Holy Scriptures, held by the Primitive Church, summed up in the Creeds, and affirmed by the undisputed General Councils."

Before we leave this topic, we must also warn you against confounding mediæval beliefs or usages with those of earlier and purer ages, and against their practical substitution for the beliefs and usages of our own Reformed Church. Especially do we condemn any doctrine of the Holy Eucharist which implies that, after consecration the proper nature of the elements of bread and wine does not remain; which localizes in them the bodily presence of our Lord; which allows any

adoration other than that of our blessed Lord Himself, "who rose again from death, and took again His body, with flesh, bones, and all things appertaining to the perfection of man's nature, wherewith He ascended into Heaven, and *there* sitteth until He returns to judge all men at the last day;" which, in any way, asserts that His sacrifice upon the cross was not "a full, perfect, and sufficient sacrifice, oblation and satisfaction for the sins of the whole world;" and which would add to our Liturgy ceremonies and rites designed to teach all or any of these things. We would at the same time, deprecate most earnestly those extravagancies in Ritualism, recently introduced, which tend to assimilate our worship to that of a Church not only alien, but hostile to our own. And we must also urge you to remember that the reverent obedience to their Bishops, and other chief ministers, promised by the Clergy at their ordination, would, if faithfully rendered, prevent these evils.

With thus much concerning dangers which beset the Faith, we turn to say a few words concerning those which bear upon the life of Christ's disciples. We cannot, indeed, even touch upon all such dangers, but of some we cannot forbear to speak in tones of admonition and alarm.

Ours are times of increasing worldliness, luxury and sensuality. The flesh triumphs over the spirit, in the modes of life and in the recognized aims of thousands who call themselves Christians. Your Bishops cannot with too much of plainness and solemnity urge the Reverend Clergy to be faithful in rebuke and warning in these respects; nor can they too seriously entreat the people to lay such exhortation to heart. "Now the works of the flesh are manifest, which are these: Adultery, fornication, uncleanness, lasciviousness, idolatry, witchcraft, hatred, variance, emulations, wrath, strife, seditions, heresies, envyings, murders, drunkenness, revellings and such like." The blessed apostle adds: "of the which I tell you before, as I have also told you in time past, that they which do such things shall not inherit the kingdom of God."

In former Pastoral Letters, your Bishops have warned you concerning worldly amusements, and of the tendency of many forms of them to create a distaste for pure, simple and domestic pleasures,

innocent enjoyments, and especially for the stern duties and elevated sympathies of a holy life. But, in our day, there is a licentiousness and grossness in theatrical and like entertainments which would have been shocking to even the least refined, in the days of our fathers. We exhort you to flee these things, and above all to separate from all contact with their pollution, the young and precious souls for whom you have answered in holy baptism.

Nor can it be superfluous to say that moderation in all things pertaining to personal expense, to dress, and to manners, is required of all Christians, as examples to a world lying in the wicked One. On these things the Apostles have spoken, and the old fathers who struggled with the remains of heathenism in their converts, and it is humiliating to note that what they rebuked as indecent and shameful in newly baptized Pagans, is hardly less the scandal of Christian lands in our own day and generation. "For this purpose the Son of God was manifested that He might destroy the works of the devil." It is in vain that we profess a pure and primitive Faith and multiply our sacrifices of praise and thanksgiving, in the Liturgic forms of apostles and martyrs, unless with clean hearts and hands, and with bodies unpolluted, we are enabled to worship God in spirit and in truth. Suffer, therefore, brethren these words of exhortation to practical godliness. "The end of all things is at hand: be sober and watch unto prayer." Pray and strive for the "peace of Jerusalem." "Let all bitterness, and wrath, and anger, and clamour, and evil speaking be put away from you, with all malice," that as there is "one Lord, one Faith, one Baptism, one God and Father of us all," so we may henceforth be of one heart and one soul, united in one holy bond of Truth and Peace, of Faith and Charity, and with one mind and one mouth glorify God the Father, the Son, and the Holy Ghost. It remains for us to add our paternal benediction: The God of peace who brought again from the dead our Lord Jesus Christ, that great Shepherd of the sheep, through the blood of the everlasting covenant, make you perfect in every good work to do His will, working in you that which is well pleasing in His sight, through Jesus Christ, to Whom be glory forever and ever.

AMEN.



## A DIGEST OF THE RESOLUTIONS

*Passed by the House of Clerical and Lay Deputies of the General Convention of 1868  
and of the Legislation concurred in by the House of Bishops.*

## FIRST DAY.

That the House proceed to the election of a President.  
That balloting be dispensed with.  
That the House proceed to the election of a Secretary.  
That when the House adjourns, it be to meet in Trinity Chapel, October 8, at 10 A. M.  
That the daily sessions be from 10 A. M. to 4 P. M.  
That a committee wait upon the House of Bishops, to inform them of the organization of the House of Clerical and Lay Deputies, and its readiness to proceed to business.  
That the Rules of Order of the last General Convention be adopted as the rules of this House until others are provided.  
That the President appoint the standing committees.  
That the House confirm the appointment of the assistant Secretary.  
That the House adjourn.

## SECOND DAY.

That the Minutes be approved.  
That the petition of the Diocese of Nebraska for admission into union with the Convention, be referred to the Committee on Canons.  
That the Memorial of the Diocese of Wisconsin (concerning Article V. of the Constitution) be referred to the Committee on Canons.  
That the Memorial from the Diocese of Maryland (concerning permanent Synodical or Conventional union of dioceses, and the erection of Provincial Courts of Appeal) be referred to the Committee on Canons.  
That the Resolutions of the Diocese of New York (concerning the erection of two new dioceses within the limits of the present diocese) be referred to the Committee on New Dioceses.  
That the Memorial from the Diocese of New York (concerning the passage of a canon authorizing the formation of a Federate Council) be referred to the Committee on Canons.  
That the paper concerning the election of the Rev. Dr. C. F. Robertson to the Episcopate of Missouri, be referred to the Committee on the Consecration of Bishops.  
That the memorial from the Diocese of Tennessee (on the extent and formation of dioceses) be referred to the Committee on Canons.  
That the memorial from the Diocese of Illinois (concerning the repeal of Article V. of the Constitution) be referred to the Committee on Canons.  
That the petition from the Diocese of Maryland (concerning the division of the diocese) be referred to the Committee on New Dioceses.  
That the memorial and resolution from the Diocese of North Carolina (concerning the division of dioceses) be referred to the Committee on Canons.  
That the preamble and resolution from the Convention of the Diocese of Georgia (concerning the change of the name of the "convention" to "council") be referred to the Committee on Canons.  
That the preamble and resolution from the Convention of the Diocese of Texas (concerning the division of dioceses) be referred to the Committee on Canons.  
That clergymen and others be admitted to the sittings of this House.  
That the list of members, standing committees, and the rules of order be printed for use of the House.  
That the House take a recess daily at 1 P. M.  
That 1,500 copies of the sermon preached at the opening of the Convention, by the Bishop of Delaware, be printed.  
That (the House of Bishops concurring) a joint committee be appointed to consider the propriety of selecting another place of meeting for the daily sessions of the House. (Concurred in by the House of Bishops, *vide* Message No 2.)  
That this House place on record its grateful sense of the eminent and long continued services to the Church, of four venerable deputies from the Diocese of Maryland, deceased since last General Convention, viz.: Ezekiel F. Chambers, LL. D., Rev. Henry M. Mason, D. D., Hugh Davis Evans, LL. D., and John Henry Alexander, LL. D.  
That the House place upon its records the expression of its grateful recollection of the high Christian character and valuable services in behalf of the Church, of Washington Hunt, LL. D., deceased since the last General Convention.  
That this House have heard with deep regret, of the death of the most Rev. Dr. Fulford, Bishop of Montreal and Metropolitan of Canada; and that this House communicate to the House of Bishops, its desire to join with them in such expressions of regard for the departed Bishop, and of respect for his memory, as they may see fit to prepare. (Concurred in, *vide* message from the House of Bishops, No. 68.)  
That this House place upon its records, the expression of its deep sorrow at the death of the Rev. Francis Lister Hawks, D. D., LL. D., Historiographer of the American Church, and for many years a faithful, most laborious, and valuable member of this body.  
That the House adjourn.

## THIRD DAY.

That the Minutes be approved.  
That the Treasurer's summary and report in full be referred to the Committee on Expenses.  
That (various resolutions, amendments, and substitutes vouching) the whole matter of the report the Committee on New Dioceses recommending—the House of Bishops concurring—the admission of the Diocese of Nebraska into full canonical union with the Convention of the Protestant Episcopal Church in the United States, be laid on the table.

That the motion to refer the whole matter concerning the admission of the Diocese of Nebraska to a special committee, be laid on the table.  
That the House concur in the action of the House of Bishops as announced in Message No. 3, to wit: "that the Diocese of Nebraska be, and the same is, hereby admitted into union with the General Convention of the Church in the United States."  
That the House adjourn.

## FOURTH DAY.

That the Minutes be approved.  
That the memorial of the Diocese of Pennsylvania (concerning the Examination of Candidates for Holy Orders) be referred to the Committee on Canons.  
That the Memorial from the Diocese of Maryland (concerning the division of the diocese) be referred to the Committee on New Dioceses.  
That the Memorial of Sundry Clergy and Laity (concerning Section 6, Canon 12, Title I.) be referred to the Committee on Canons.  
That the Memorial of sundry Clergy and Laity (asking repeal of Canon 11, Title I.) be referred to the Committee on Canons.  
That the resolution of inquiry respecting the want of music at Morning Prayer, be laid on the table.  
That a proposed amendment of Section 2, Canon 12, Title II—"Regulations respecting the Laity"—be referred to the Committee on Canons.  
That the Petition from the Diocese of Vermont (concerning the copying of the late Bishop Burgess's List of Ordinations in the American Church) and those of a similar nature from the Dioceses of Maine, Massachusetts, Rhode Island and New Hampshire, be referred to a Special Committee of Three—the Rev. Drs Beardsley and Clemson, and Judge Shelley.  
That a proposed alteration of Section 14, Canon 13, Title I. (concerning the Use of Forms of Prayer for "Extraordinary Occasions") and an inquiry whether any further legislation is necessary to make Canon 20, Title I. consistent with the Canon in question, and the definition of the phrase "Extraordinary Occasions," be referred to the Committee on Canons.  
That a proposed canon on the Consecration of Churches, and an amendment thereto, be referred to the Committee on Canons.  
That the Memorial from the Diocese of Illinois (concerning the Provincial System and the change of name from "convention" to "council") be referred to the Committee on Canons.  
That the Request of the Committee on Canons to be discharged from further consideration of the Memorial from the Diocese of Georgia, (concerning change of nomenclature of various legislative bodies of the Church) be granted.  
That the resolution offered by Mr. S. B. Ruggles of New York (concerning the appointment of a "Standing Committee on the Foreign Relations of the Church," to consider and report on any proposition or subject connected with intercommunion or Synodical Union with any other portion of the Church Catholic) be made the order of the day for Wednesday, October 14.  
That a proposed amendment of Canon 20, Title I (concerning the use of selections from the Book of Common Prayer instead of the prescribed forms of Morning and Evening Prayer) be referred to the Committee on Canons.  
That a resolution of inquiry (concerning a grammatical inaccuracy in the "Invocation" in the office for the Holy Communion) be referred to the Committee on the Prayer Book.  
That Clerical representatives of our Church in foreign countries now in this city be entitled to seats on the floor of this House.  
That a resolution of inquiry, whether any change is required in Section 5, Canon 13, Title I (concerning the election of Assistant Bishops), be referred to the Committee on Canons.  
That a resolution proposing alterations in Paragraph 5, Section 7, Canon 13, Title I. (concerning the translation of Missionary Bishops) be referred to the Committee on Canons.  
That a resolution of inquiry as to the expediency of amending Canons 9 and 10 of Title I. (so as to remove therefrom the discriminations made in favor of Ministers ordained by Bishops *not* in communion with this Church, and against Ministers ordained in foreign countries by Bishops in communion with the Church where such members desire admission to our Church) be referred to the Committee on Canons.  
That a resolution of inquiry as to the third Article of the constitution of the Board of Missions (respecting ambiguity of expression therein) be referred to the Committee on the Domestic and Foreign Missionary Society.  
That the House proceed to ballot, on Monday, October 12, for a committee on the part of the House to nominate a Board of Missions.  
That a Preamble and resolution (requesting the House of Bishops to prepare a short service for Morning and Evening use on other days than Sundays) be laid on the table.  
That when the hour of recess arrives the House adjourn.

## FIFTH DAY.

That the Minutes be approved.  
That the House of Bishops concurring, the Convention ratify the division of the Diocese of Maryland into two dioceses—such division to take effect on the calling of a Convention for the purpose by the Bishop or ecclesiastical authority of the diocese—and recognizes the union with the General Convention of the New Diocese. (Concurred in. *Vide* Message House of Bishops No. 6.)

That accommodations be provided for the Reporters in the middle aisle of the church.

That the whole matter (resolutions and amendments concerning) removal to the Church of the Transfiguration, be referred to the Joint Committee appointed to consider the subject of a change of place, with instructions to report as soon as practicable.

That the House proceed to the election, on its part, of a Joint Committee to nominate a Board of Missions.

That balloting be dispensed with, and the Rev. Drs. Paddock, Huntington, Pierce, and Messrs. L. B. Otis, W. H. Battle, L. L. D., and G. C. McWhorter, be elected as members on the part of this House of said Joint Committee.

That the memorial from the Diocese of New Jersey (concerning Clerical Support), be referred to a special committee of five laymen, (viz., J. H. Thompson M. D., S. B. Ruggles, LL. D., J. W. Van Nostrand, G. C. Shattuck, M. D., and B. J. Barbour).

That the resolution, adopted by the Convention of the Diocese of New York (asking a permissive Canon authorizing a federate council of the dioceses in New York), be referred to the Committee on Canons.

That Mr. William Welsh be added to the Joint Committee to nominate a Board of Missions.

That sundry Memorials (on securing uniformity in public worship), together with a scheme of Canon—"Of the Manner of Conducting Divine Worship" be referred to the Committee on Canons.

That the order of business be suspended to receive report of Joint Committee on Change of Place.

That the resolutions accompanying the above report (I. That the House of Bishops concurring—after recess to-morrow—this House meet for the future sessions at the Church of the Transfiguration. II. Thanking Rector, Wardens, and Vestry, of Trinity Church, and also the Committee of Arrangements. III. Appointing Mr. William Welsh and Rev. Dr. Abercrombie Committee of Arrangements, be adopted.

That the report of the Committee on Canons (proposing certain amendments to Article V. of the constitution), be printed and made the Order of the Day for Thursday, October 15.

That leave of absence be granted to several Clerical and Lay Deputies.

That the Chair be empowered to appoint an additional member of the Committee on Canons.

That a resolution (concerning the subject of departure from the established usages of the Church by defect), be referred to the Committee on Canons.

That—the House of Bishops concurring—a Joint Committee of Bishops, Presbyters and Laymen, in equal number, be appointed as an organ of communication with other branches of the Church and with the different Christian bodies desiring information or conference, and entitled "The Commission of the Protestant Episcopal Church in the United States of America on Church Unity," non-concurred in *vide* message No. 6, Committee of Conference requested *vide* message IV, H. D., No. 10. Committee appointed on the part of the House of Bishops *vide* message H. B., No. 12. Resolution accompanying Report of Committee of Conference, adopted 15th Day. Bishops of Ohio, N. D., N. Car., Ill. Island, and W. N. York appointed members of the Committee—*vide* message II. B. 84.

That certain resolutions inquiring respecting the stereotype plates of the standard Book of Common Prayer be referred to the Committee on the Prayer Book.

That the House approve of the Testimonials of the Rev. Dr. Robertson, Bishop elect of Missouri, and consent to his consecration.

That the House proceed to sign the proper certificate to be presented to the House of Bishops.

That the House adjourn.

## SIXTH DAY.

That the minutes be approved.

That the Secretary transmit to the House of Bishops the testimonials of the Rev. Dr. Robertson—said testimonial I. having been signed by a Constitutional majority of both Orders of the House.

That the proposed amendment of section 6, Canon 12, Title, reported by the Committee on Canons, be printed, and made the order of the day for Friday, Oct. 16.

That the proposed amendment of the title of Canon 11, Title I, reported by the Committee on Canons, be made the order of the day for Friday, Oct. 16, after the preceding order.

That, the House of Bishops concurring, this Convention ratify the action of the Convention of the Diocese of New York in the erection of a new diocese, (Long Island) to take effect Nov. 15. Concurred in *vide* message H. B., No. 9.

That, the House of Bishops concurring, the Convention ratify the action of the Convention of the Diocese of New York in the erection of a new diocese, (Northern New York), to take effect Nov. 15.

That the Rev. William C. Williams be added to the Committee on the Domestic and Foreign Missionary Society.

That a chair be provided for the Bishop of Ontario, at the right hand of the President.

That a resolution (inquiring what part of the Morning and Evening Prayers may be read by lay-readers, and suggesting a canon placing them under proper discipline) be referred to the Committee on Canons.

That the members of the House of Clerical and Lay Deputies, in leaving Trinity Chapel, express and record their hearty thanks to the Vestry of Trinity Church, the Committee of arrangements, and especially to the Rev. Dr. Haight.

That a resolution (concerning the plan for the Morning Service presented in the Rules of Order) be laid on the table.

That Message No. 6, (concerning the division of the Diocese of Western New York), with the accompanying documents, be referred to the Committee on New Dioceses.

That the vote whereby the consideration of Canon 12, Title I. was made the order of the day for Friday, Oct. 16, be reconsidered.

That the House take up the said report for consideration.

That the said report be made the order of the day for Wednesday, October 14.

That the House adjourn.

## SEVENTH DAY.

That the Minutes be approved.

That the Memorial of the Wardens and Vestry of the Church of the Holy Trinity, New York, be referred to the Committee on Canons.

That the House proceed to the election of a Treasurer.

That balloting be dispensed with, and Mr. Herman Cope be elected.

That a resolution and amendment (suggesting an amendment to the Constitution, or a declaratory canon setting forth certain principles touching the Epi-copate) be laid on the table.

That a memorial from certain members of the Protestant Episcopal Church in the Diocese of New Jersey, be referred to the Committee on Canons.

That the report of the Committee on New Dioceses be recommitted.

That Message No. 8 from the House of Bishops (amending Section 2, Canon 10, Title I.), be referred to the Committee on Canons.

That a resolution (inquiring whether the addition of the words "or by the Bishop himself of some other Diocese," be not required in Article IV. of the Constitution) be referred to the Committee on Canons.

That the whole matter (concerning the change of designation of the General Convention) be indefinitely postponed.

That a committee of conference on the part of this House, be appointed on Message No. 11 from the House of Bishops.

That this committee consist of three clergymen and three laymen.

That the members of the corporations of the Church of the Transfiguration and Trinity Church, be admitted to seats on the floor of the House.

That the communication from the Trustees of the General Theological Seminary, and their Triennial Report be referred to the Committee on the General Theological Seminary.

That—the House of Bishops concurring—a joint committee be appointed to consider the canons relating to admission to the Ministry, said committee on the part of this House being the Committee on Canons.

That at the report of the Committee on Canons (concerning Canon 12, Title I.) be again made the order of the day for Friday, October 16.

That the House adjourn.

## EIGHTH DAY.

That the Minutes be approved.

That the preamble and resolution reported by the Committee on New Dioceses, (ratifying the erection of a new diocese within the limits of the Diocese of Western New York), be adopted.

That the House concur in Message No. 8 from the House of Bishops (amending Section 2, Canon X., Title I.) so as to read, "And if such foreign clergyman be a Deacon, he shall reside in this country at least one year, and shall obtain in this country the requisite testimonials of character, before he be ordained a Priest."

That the report of the Committee on Canons, proposing a canon instead of Section 5, Canon 13, Title I. (on assistant Bishops) be laid on the table for future consideration.

That a canon proposed by the Committee on Canons (concerning the consecration of churches) be laid on the table, and ordered to be printed for the use of the House.

That the report from the committee appointed at the last General Convention, on the Provincial System, be referred to a committee of five to report to this Convention.

That hereafter the daily sessions continue from 10 A. M. to 3 P. M., without recess.

That a resolution (inquiring into the expediency of amending Canon 5, Title 3) be referred to the Committee on Canons.

That the House proceed to the consideration of the order of the day.

That the House adjourn.

## NINTH DAY.

That the Minutes be approved.

That a resolution proposing an amendment to Article 2 of the Constitution (reducing the number of deputies to General Convention) be laid on the table.

That a resolution (proposing amendments and additions to Canon XI, Title I) be referred to the Committee on Canons.

That a resolution (referring to the Committee on the Prayer Book, the inquiry as to the expediency of erasing from the Ordinal the words, "Whose sins thou dost forgive they are forgiven, and whose sins thou dost retain, they are retained," in the commission given to a Presbyter by a Bishop), be laid on the table.

That the Committee on Canons enquire into the expediency of striking out the words "of this Church," after the words Presiding Bishop, in Section 3 of Canon 9, Title II.

That—the House of Bishops concurring—in Article 3 of the Constitution of the Board of Missions, for the words "four in number from each diocese," etc., there be substituted the words, "at least equal in number to four times the number of dioceses in union with the General Convention." Concurred in, *vide* Message H. B., No. 14.

That the order of the day be postponed, to take up unfinished business, to wit: proposed amendments to Article V. of the Constitution.

That speakers be limited to five minutes, and that no one have liberty to speak twice on the question under consideration.

That the amendments to Article V. of the Constitution, reported by the Committee on Canons, with certain verbal changes, be adopted. Non-concurred in, *vide* Message H. B., No. 26. Committee of conference appointed, and the resolutions reported by said committee concurred in by H. D. and H. B., *vide* Message H. D. No. 65, and Message II. B. No. 60.

That the House adjourn.



## TENTH DAY.

That the Minutes be approved.

That the whole subject of admission to the sessions of this House, be referred to the Committee on Arrangements, with power.

That leave of absence be granted to certain deputies applying therefor.

That applications for leave of absence during the remainder of the session, be referred to the Committee on Elections, with power.

That, the House of Bishops concurring, Canon 9, Title I., be amended by substituting, in the 12th line, the words, "one year," instead of "six months." Non-concurred in, *vide* Message II. B., No. 21.

That the Committee on Canons be discharged from further consideration of a proposed amendment of Section 7, Canon 13, Title I. (to the effect that a domestic missionary Bishop should become, of course, the Bishop of a diocese organized within his jurisdiction).

That the resolution accompanying the report of the Committee on the State of the Church (transmitting to the House of Bishops the view of the state of the Church, presented by said committee, asking its prayers and blessings, and requesting a pastoral letter), be adopted.

That the documents accompanying the report of the Committee on the State of the Church, be temporarily placed in the hands of the Committee on Christian Education.

That certain resolutions (concerning the establishment of Christian schools, parochial and diocesan), and a further resolution (advocating a training-house for female teachers, and a sisterhood of such instructors) be referred to the Committee on Christian Education.

That the canon proposed by the Committee on Canons, in connection with their report on Article V of the Constitution, with certain amendments, be adopted, to become operative on the adoption of the proposed amendment to the 6th Article of the Constitution. *Vide* action of House of Bishops concerning the same as noted above, in connection with the action of this House on said amendments to Article V., ninth day.

That a resolution (concerning the establishment of missionary organizations under the charge of missionary Bishops, within the limits of organized dioceses, when request therefor is made by the ecclesiastical authority) be referred to the Committee on Canons.

That no member of the House be allowed to speak more than once, nor for a longer time than ten minutes, during the remainder of the session, with the exception of allowing chairmen of committees, and those who introduce resolutions, ten minutes in which to close the debate.

That—the House of Bishops concurring—Canon 12, Section VI., clause (2), of Title I., be amended so as to read as follows: "If there be but one church or congregation within the limits of such village, town, township, borough, city, or such division of a city or town, as herein provided, the same shall be deemed the parochial cure of the minister having charge thereof. If there be two or more churches or congregations therein, it shall be deemed the cure of the ministers thereof, and the assent of a majority of such ministers shall be necessary. But nothing in this canon shall be construed to prevent any clergyman of this Church from officiating in any parish church, or in any place of public worship used by any congregation of this Church, with the consent of the clergyman in charge of such congregation, or in his absence, of the churchwardens and vestrymen or trustees of such congregation, or of a majority of them." Concurred in, *vide* Message H. B., No. 17.

That a proposed amendment of clause (1), Section VI., of Canon 12, of Title I., be referred to the Committee on Canons.

That a proposed substitute for the above proposed amendment be referred to the Committee on Canons.

That a further resolution (of inquiry as to the expediency of amending the 4th line of clause (1), Section VI., Canon 12, Title I.) be referred to the same Committee.

That a further proposed amendment to the same be referred to the same committee.

That the House proceed to the consideration of the resolution accompanying the report of the Committee on Canons (concerning the consecration of churches).

That the question on the adoption of the canon, be taken by the separate sections thereof.

That the vote on the proposed canon be taken before the adjournment.

That the proposed canon and the amendments offered therefor, be re-committed.

That the House adjourn.

## ELEVENTH DAY.

That the Minutes be approved.

That the Committee on Canons be discharged from further consideration of a proposed amendment of Section 2, Canon 12, Title I. (making a communicant removing from one parish to another, amenable to the jurisdiction of the rector of the parish to which he removes).

That the Committee on Canons be discharged from further consideration of a resolution of inquiry and direction (touching the duties and discipline of lay-readers).

That the same committee be discharged from further consideration of a proposed amendment of Canon 20, Title I. (giving to Bishops power to sanction forms of service selected from the Book of Common Prayer, instead of the prescribed Morning and Evening Prayer).

That the Committee on the Prayer Book be discharged from further consideration of the alleged grammatical inaccuracy in the Invocation in the Office for the Holy Communion.

That—the House of Bishops concurring—a Joint Committee of three members on the part of this House, be appointed to sit during the recess, to examine and correct the plates of the Standard Prayer Book, and issue a new edition thereof. Concurred in by House of Bishops, *vide* Message 53. Committee on the part of the House of Clerical and Lay Deputies. Rev. Drs. Haight, T. W. Coit, and Howe; Custodian of Standard Prayer Book, Rev. Dr. Haight.

That—the House of Bishops concurring—the Registrar be authorized to furnish a copy of the Chronological Catalogue of Ordinations, pre-

pared by Bishop Burgess, to any diocese or dioceses, the expense to be borne by the applicants. Concurred in, *vide* Message H. B., No. 42.

That—the House of Bishops concurring—a Commission on Arrive be created, consisting of two Bishops, two presbyters, and two laymen. Finally concurred in, with verbal change, *vide* Mess. II B. No. 42, and Message II D. No. 51. Commission on Arrives, the Bishops of New Jersey and Pennsylvania, the Rev. Drs. Thos. W. Coit and E. E. Beardsley, Messrs. R. C. Winthrop, LL. D., and H. Fish, LL. D.

That—the House of Bishops concurring—a resolution inserting an additional cycle, and omitting one already expired, be made known to the convention of every diocese, agreeably to the VIII. Article of the Constitution. Concurred in, *vide* Message H. B. No. 23; *vide* also pp. 92, 93 Journal General Convention, 1865.

That a resolution (concerning changes in the Metrical Psalms and Hymns) be referred to the Committee on the Prayer Book.

That a resolution (concerning changes in punctuation in the Apostles' and Nicene Creeds) be laid on the table.

That a resolution (advocating the insertion of the word "Holy" before the words "Catholic and Apostolic Church," in the Nicene Creed,) be laid on the table.

That a resolution (affirming the inexpediency of making any change in the last Standard Prayer Book) be laid on the table, to be called up the following Wednesday, Oct. 21.

That a resolution (concerning an accurate translation of the original Greek of the Nicene Creed) be laid on the table.

That a communication from the Board of Missions, with the accompanying reports and summaries, be referred to the Committee on the Domestic and Foreign Missionary Society.

That a resolution (of inquiry as to the expediency of changes in the canons and in the constitution of the Domestic and Foreign Missionary Society, changing the alteration of the title of the Board of Missions, and giving to it high efficiency,) be referred to a committee consisting of the Committee on Canons and the Committee on the Domestic and Foreign Missionary Society.

That the Secretary take measures to obtain further returns from the Dioceses, as required by Canon 15, Title I.

That the Secretary record the various places named for the meeting of the next General Convention, and that the subject be made the order of the day for to-morrow, (Tuesday, Oct. 20).

That the report of the Committee on Canons (proposing amendments to Section V., Canon 13, Title I.) be taken from the table.

That the House take a recess for half an hour.

That—the House of Bishops concurring—the canon proposed by the Committee on Canons in lieu of Section V., Canon 13, Title I., be adopted. Non-concurred in, *vide* Message II. B., No. 40.

That the Liturgical Report made by the Rev. Dr. T. W. Coit to the General Convention of 1841. (in behalf of the Joint Committee on the Standard Prayer Book), be printed in the appendix to the Journal of the Convention.

That Message No. 15 from the House of Bishops (concerning admission of clergy of the Church in Canada to the rights and privileges of those of American ordination,) be referred to the Committee on Canons.

That the daily sessions of this House, for the future, continue from 10 A. M. to 1 P. M., and from 2 P. M. to 5 P. M.

That a resolution (proposing amendment to Section 2, Canon 17, Title I.) be referred to the Committee on the Prayer Book.

That the Joint Committee on the Standard Prayer Book be authorized to consider and report to the next General Convention, on the proper printing of the Prayer Book, and as to the restoration of words left out of said Book by clerical error.

That a resolution (of inquiry as to the punctuation of the Epistle for Good Friday) be referred to the Committee on the Prayer Book.

That the report of the Committee on Canons (concerning a proposed Canon in place of Canon XI. of Title I.) be re-committed, together with a resolution (proposing a draft of Canon in place of Canon XI., Title I.)

That the House adjourn.

## TWELFTH DAY

That the minutes be approved.

That the order of the day be postponed until the following question be disposed of.

That, (the House of Bishops concurring,) a section to be numbered 81 be added to Canon 5, Title I. (concerning the examination of Candi dates for Orders), as reported by the Committee on Canons, and amended by the House. Non concurred in, *vide* Mess. II B. No. 36.

That the Dioceses be called on to name their respective choice of place for the meeting of the next General Convention, and after the first ballot, all but the five places receiving the highest number of votes be dropped.

That the vote on the part of this House, in favor of the City of Baltimore, as the place of meeting of the next General Convention, be made unanimous.

Concurred in by unanimous vote of H. B. *Vide* Mess. No. 25.

That Messages Nos. 16, (announcing proposed change in Clause 3, of Section XVI, Canon 13, Title I, concerning Episcopal Resignations) and 19, (proposing amendment of Article III. of the constitution, removing the requirement, that of action in all matters proposed for their concurrence within three days) from the House of Bishops, be referred to the Committee on Canons.

That Message No. 20, (nominating the Rev. Benj. Wistar Morris, A. M., as Missionary Bishop of Oregon and Washington), be made the order of the Day for Wednesday, Oct. 21.

That the whole subject, (to wit, the Report of the Committee on Canons concerning Section 14, Canon 13, Title I. together with an amendment comprising the original resolution referred to the committee,) be laid on the table.

That the report of the Committee on Canons, asking to be discharged

from further consideration of several proposed amendments to Canon 12, Title I, together with sundry proposed amendments and instructions, be laid on the Table.

That the above vote be reconsidered.

That the said report and proposed amendments, be recommitted to the committee to consider and report.

That this House does not concur in the Resolution contained in Message No. 15, from the House of Bishops (conveying fraternal greetings to Canadian Church or removal of disabilities on Clergy of English of Colonial ordination), said resolution being at variance with the provisions of Canon 10, Title I.

That the subject of a reconsideration of the vote, adopting on the part of this House an amendment, proposed by the Committee on Canons, of the Canon respecting the election of Assistant Bishops, be made the order of the day for Wednesday, Oct. 21st, at 2 o'clock, P. M.

That the House adjourn.

#### THIRTEENTH DAY.

That the Minutes be approved.

That the Secretary inform the House of Bishops, that the question of reconsideration of the vote, adopting a proposed amendment to the Canon on the election of Assistant Bishops, is pending, and respectfully request the return of Message No. 21, from this House.

That, the House of Bishops concurring, Section III, Canon 9, Title I, be amended, so as to read in line 3, "the Presiding Bishop," instead of "the Presiding Bishop of the Church."

Concurred in, *vide* Mess. H. B., No. 31.

That the Committee on Canons be discharged from further consideration of a resolution of inquiry, as to the necessity of adding to Art. IV, of the Constitution, the words "or by the Bishop himself of some other diocese."

That leave be granted to the Committee on Canons, at their request, to withdraw their report, presented on the 6th day of the Session, (offering a draft of a Canon on Federative Conventions or Councils.)

That, the House of Bishops concurring, the names of the Trustees of the General Theological Seminary for the various dioceses submitted, with the report of the committee on said seminary, be approved.

Non-concurred in, and list returned. *vide* Message H. B., No. 58.

List sent back to House of Bishops. *vide* Mess. H. D., No. 77.

Finally concurred in. *vide* Mess. H. B., No. 71.

That the term of a Testimonial for a Missionary Bishop-Elect be read, and then after silent Prayer, the House proceed to ballot on nomination of a Missionary Bishop of Oregon and Washington, made by the House of Bishops.

That the vote be made unanimous.

That the House unite in singing the *Gloria in Excelsis Deo*.

That the resolutions accompanying the report of the Committee on Christian Education, be made the order of the day for Thursday, October 22d.

That leave of the House be granted to the Joint Committee on communication with the Russo-Greek Church, to report in print.

That the resolution, (that it is inexpedient to make alterations in the Prayer Book,) be made the second order of the day, for Thursday, October 22d.

That the resolutions accompanying the report of the Special Committee of Laymen on the subject of Clerical support, be recommitted for further practical suggestions, and that two clergymen be added to the number.

That the canons accompanying the report of the Special Committee on the Provincial System, together with the Canon on Federative Conventions or Councils, proposed by the Committee on Canons, be printed, and made the order of the day for Friday, October 23d.

That the Secretary inform the House of Bishops of the election of the Rev. Benj. Wistar Morris, as Missionary Bishop of Oregon and Washington; and that he transmit the Testimonial in favor of the said Missionary Bishop-Elect, as signed by a constitutional majority of both orders of this House.

That the House adjourn.

#### FOURTEENTH DAY.

That the minutes be approved.

That a resolution (of inquiry as to the expedience of preparing a table of proper lessons for daily Prayer in Lent), be referred to the Committee on the Prayer Book.

That the resolution accompanying the report of the Committee on Canons, (proposing amendment of Sections I and II, of Canon 1, Title I, be made the order of the day, after the preceding order has been disposed of.

That the order of the day be postponed till the question (on amending clause [1], Section VI, Canon 12, Title I, as proposed by the Committee on Canons), be disposed of.

That the consideration of the question under discussion, be postponed for the appointment of a committee.

That the whole matter, to wit, proposed amendment of Clause (1), Section VI, Canon 12, Title I, be indefinitely postponed.

That the proposed Canon on the Consecration of Churches, reported by the Committee on Canons, be made the order of the day, for Friday, October 23d.

That a proposed draft of Canon "Of Marriage and Divorce," to be numbered Canon 13, Title II, be referred to the Committee on Canons.

That a proposed Canon "on the use of Hymns," be referred to same committee.

That a memorial from certain Presbyters on the same subject, be referred to the Committee on Canons.

That a petition from the Diocese of Michigan, touching the use "of Hymns, ancient and modern," be referred to the same committee.

That a proposed canon, (amending Section VI, of Canon 5, of Title I), be referred to the same committee.

That the resolution accompanying the report of the Committee of Conference, on Message from the House of Bishops, No. 26, (authorizing the appointment by the House of Bishops, from among their own

number) of "The Commission of the Protestant Episcopal Church in the United States of America, on Church Unity, (Mess. No. 84, from the House of Bishops, announced the appointment of Bishop Mollwaine, Whittingham, Atkinson, Clark and Core on this "Commission."

That the resolutions accompanying the report of the Joint Committee on the Italian Reform movement, communicated to this House in Message No. 27, from the House of Bishops, be made the order of the day for Saturday, October 24th.

That the preamble and resolution adopted by the Convention of the Diocese of Alabama, together with sundry memorials from clergy and laity of the Church, (concerning a new translation of the Nicene Creed,) be referred to the Committee on the Prayer Book.

That a similar preamble and resolution, adopted by the Convention of the Diocese of Indiana, be referred to the same committee.

That a similar preamble and resolution, adopted by the Diocese of Wisconsin, with an accompanying draft of a Canon on the use of the Nicene Creed, be referred to the same committee.

That a resolution (of similar import) adopted by the Convention for the Diocese of Missouri, be referred to the same committee.

That a resolution (preliminary to those offered by the Committee on Christian Education, and affirming that the Christian education of her children is the Church's work in her organic corporate capacity and of co-ordinate importance with her missionary work) be adopted.

That the resolutions accompanying the report of the Committee on Christian Education, be considered separately.

That the five resolutions (proposing, the House of Bishops concurring, the appointment of a joint commission to raise funds, to assist in Christian education at the South, and naming the members thereto, on the part of the House), be adopted. Non-concurred in, *vide* Mess. H. B. No. 59.

That the second resolution (proposing, with the concurrence of the House of Bishops, the appointment of a joint Committee to take into consideration the whole subject of Theological Study and Theological Schools) be adopted. [Non concurred in. *vide* Mess. H. B. No. 35.]

That the third resolution (recommending, the House of Bishops concurring, the establishment of Christian schools in every parish where practicable) be adopted. Concurred in. *vide* Mess. H. B. No. 35.

That the fourth resolution (recommending the opening of schools in chapel-school houses, which can be used for Divine service on Sundays, as an economical mode of planting and establishing the Church) be adopted.

That the fifth resolution (recommending, with the concurrence of the House of Bishops, the appointment of a Standing Committee on Christian education in every Diocese) be adopted. [Non-concurred in. *vide* Mess. H. B. No. 35.]

That the sixth resolution (recommending, the House of Bishops concurring, the subject of a Training House for Teachers and associations of Teachers, male and female, under Episcopal regulations) be adopted. [Concurred in. *vide* Mess. H. B. No. 35.]

That the resolutions reported by the committee (as above) be adopted as a whole.

That the order of the day (to wit resolutions that it is inexpedient to make any alterations in the Standard Prayer Book) be referred to the Committee on the Prayer Book.

That the House adjourn.

#### FIFTEENTH DAY.

That the Minutes be approved.

That a committee be appointed—the House of Bishops concurring—to confer with a committee of that House in regard to the time of adjournment of this Convention.

That this House meet hereafter at 9.30 A. M., and continue in session until 4 P. M.

That—the House of Bishops concurring—this House adjourn *sine die* on Monday next. [Non-concurrence of Bishops reported by the committee appointed as above to confer with the House of Bishops].

That the House does not concur in the Amendment to Article III, of the Constitution, proposed in message No. 19 from the House of Bishops (requesting removal of requirement of action on the part of the House of Bishops on all matters proposed for their concurrence within three days)

That this House does not concur in the alteration of clause [3] Canon 13, Title I, proposed in Message, No. 16 from the House of Bishops (intended to obviate the necessity of a meeting of the Bishops to consider a proposed resignation and authorizing action by correspondence).

That the Secretary be authorized to effect the purchase of the stereotype plates of the reprinted early Journals, and to continue the issue of the republication, if possible.

That—the House of Bishops concurring—the Joint Committee on the Republication of the early Journals be continued, with power to enlarge the numbers. [Concurred in. *vide* Message of House of Bishops No. 33. Committee, Bishops Potter, Williams and Odenheimer; Rev. Drs. Higbee, Howe, and Wm. Cooper Mead; Rev. Wm. Stevens Perry; Messrs. Samuel B. Ruggles, LL. D., James Pott and Edward P. Dutton.]

That—the House of Bishops concurring—amendments be made to Article IV, of the Constitution of the Board of Missions (so that it may hereafter read as follows: 1. "To the Board of Missions shall be entrusted the consideration of the practical work of the Church, and the supervision, &c., and adding, II., "the Bishop and Standing Committee of each Diocese may appoint substitutes from the same diocese for such members of the Board as may be unable to attend its meetings.") [First amendment non-concurred in. *vide* Message of House of Bishops, No. 43. Second amendment concurred in. *vide* same Message].

That the resolutions reported by the Committee on Clerical Support be adopted.



That the Report of the Committee on Canons (proposing a Canon on Federate Conventions or Councils) be taken from the table.

That a memorial of certain clergymen (praying for a rubrical relaxation) be referred to the Committee on Canons.

That the House concurs in the action of the House of Bishops, communicated in Message No. 30 (appointing the Rev. William Stevens Perry Historiographer, in place of the late Rev. Dr. Francis L. Hawks).

That a statement of changes made in the canons be prepared, printed and sent to all entitled to receive Journals, immediately after adjournment.

That the Secretary return the thanks of the Convention to various institutions and societies.

That the members of this House learn with satisfaction that the number of subscribers to the Documentary Annals of the American Church is nearly sufficient to warrant the publication of the whole series.

That the thanks of the House are due to the Rev. William Stevens Perry for the interest taken by him in this important work.

That the Canon on Federate Conventions or Councils, as reported by the Committee on Canons be adopted, to wit:

*Resolved*, The House of Bishops concurring, that the following be adopted as Canon — of Title —, to wit: Canon —, authorizing the Formation of a Federate Convention, or Council of the Dioceses within any State. It is hereby declared lawful for the Dioceses now existing, or hereafter to exist within the limits of any State or Commonwealth, to establish for themselves a Federate Convention or Council, representing such Dioceses which may deliberate and decide upon the common interests of the Church, within the limits aforesaid, but before any determinate action of such Convention or Council shall be had, the powers proposed to be exercised thereby shall be submitted to the General Convention for its approval.

Nothing in this Canon shall be construed as forbidding any Federate Council from taking such action as they may deem necessary to secure such legislative enactments as the common interests of the Church in the State may require.

Concurred in. *Vide* Message of the House of Bishops, No. 61.

That the order of the day (to wit, the report of the Committee on Canons on the Conssecration of Churches) be laid on the table.

That the Amendment to the proposed Amendments to Canon 11, Title 1., prepared by the Committee on Canons be adopted.

That, the House of Bishops concurring, Sections 1 and 2 of Canon 11, of Title 1., be amended so as to read:

Canon 11. "Of Persons not Ministers of the Church, officiating in any Congregation thereof.—No minister in charge of any congregation of this Church, or, in case of vacancy or absence, no Church Wardens, Vestrymen or Trustees of the congregation shall permit any person to officiate therein without sufficient evidence of his being duly licensed or ordained to minister in this Church. Provided that nothing herein shall be so construed as to forbid communicants of the Church to act as Lay Readers. Canon 11, Title 1, Section 1 and 2, is hereby repealed; provided that such repeal shall not affect any case of a violation of said canon committed before this date; but such case shall be governed by the same law as if no such repeal had taken place."

Concurred in. *Vide* Message of House of Bishops No. 46.

That the Secretary be authorized to purchase ten copies of the verbatim report of the proceedings and debates of this House.

That the resolutions accompanying the report of the Joint Committee on the Standard Bible be adopted; (the 1st recognizing until further order the Oxford 4th edition of 1852 as the standard, and the 2d discharging the committee).

That the vote adopting the above resolutions, and discharging the Joint Committee, be reconsidered and the committee continued to sit during the recess.

That the House adjourn.

#### SIXTEENTH DAY.

That the Minutes be approved.

That it is not expedient to amend Section 2 of Canon 5, Title III. (authorizing the formation of a parish under certain contingencies without the consent of the ecclesiastical authority.)

That the committee of Arrangements be empowered, with a similar committee to be appointed by the House of Bishops, to arrange for the closing services of the Convention.

That five thousand copies of the Journal be printed, &c.

That a motion of reference to the Committee of Canons on the question of prohibiting the holding of General Conventions in consecrated churches be laid on the table.

That the member of the Committee on Canons, who introduced the proposed Canon on the Conssecration of Churches have leave of the House to make certain explanations with regard to said Canon.

That the report of the Committee on Canons (proposing said Canon) be taken from the table.

That the said report be again laid on the table.

That—the House of Bishops concurring—Canon I., Title III., Section V., be amended by substituting, in the fifth line, the word "three" in place of the word "two." Concurred in. *Vide* Message of House of Bishops, No. 41.

That the Treasurer be instructed to pay the Secretary of the House the sum of \$750, and the Secretary of the House of Bishops the sum of \$250.

That the Secretary and Treasurer jointly be authorized to make an additional assessment in the Dioceses if necessary.

That—the House of Bishops concurring—in future editions of the standard Prayer Book, a note be inserted declaring the fact that alterations were made in several of the late editions printed from the stereotype plates mentioned in Section 11. of Canon 17, Title 1. Concurred in with this amendment, "That the alterations referred to be specified in the note to be inserted in the Prayer Book." Message of

House of Bishops, No. 52. The amendment concurred in by House of Deputies. *Vide* Message No. 61.

That agreeably to the desire expressed by the House of Bishops (in Message No. 33, asking prayers of the House of Deputies while the Convention is deliberating on the subject of Indian Missions) space be taken for silent prayer, and that the President offer prayer from the Book of Common Prayer

That the resolutions accompanying the report of the Joint Committee on the Italian Reform Movement be adopted.

That the House concurs in the resolution of the House of Bishops, communicated in Message No. 29, continuing and increasing the Joint Committee on the Italian Reform Movement.

That the House proceed to the consideration of the Message of the House of Bishops, No. 32 (concerning Divorce).

That the Message of the House of Bishops, No. 32, with the amendment and resolution thereon be referred to the Committee on Canons, and that their report on the same subject be re-committed to them.

That certain documents (from heirs of the late Typographical Corrector of the Standard Bible) be referred to the Joint Committee on Standard Bible.

That the resolution accompanying the report of the Committee on Canons, amending Canon 29, Title 11., (of offences for which clergymen shall be tried) be adopted, to wit:

*Resolved*,—the House of Bishops concurring—that Canon 2 of Title 11. is hereby amended so as to read as follows: § 1. Every minister of this Church shall be liable to presentment and trial for the following offences, viz.:

1. Crime or immorality.

2. Holding and teaching publicly or privately, and advisedly, any doctrine contrary to that held by the Protestant Episcopal Church in the United States of America.

3. Violation of the Constitution or Canons of the General Convention.

4. Violation of the Constitution or Canons of the Diocese to which he belongs.

5. Any act which involves a breach of the ordination vows:

And on being found guilty he shall be admonished, suspended or degraded, according to the Canons of the Diocese in which the trial takes place, until otherwise provided for by the General Convention.

§ 11. If a Minister of this Church shall be accused by public rumors of discontinuing all exercises of the ministerial office without lawful cause, or of living in the habitual disuse of public worship or of the Holy Eucharist according to the offices of this Church, or of being guilty of any or either of the offences enumerated in the first section, it shall be the duty of the Bishop, or if there be no Bishop, of the clerical members of the Standing Committee, to see that an inquiry be instituted as to the truth of such public rumor. And in case of the individual being proceeded against and convicted according to such rules of process as may be provided by the Conventions of the respective Dioceses, he shall be admonished, suspended or degraded, as the nature of the case may require, in conformity with their respective Constitutions and Canons."

Concurred in. *Vide* Message of the House of Bishops, No. 51.

That when this House adjourns, it adjourn to meet on Monday at 9.30 A. M., and to continue in session till 5 P. M., with a recess of one hour

That the House adjourn.

#### SEVENTEENTH DAY.

That the Minutes be approved.

That Message No. 34 from the House of Bishops (on Section 1, Canon 10, Title 1.) be referred to the Committee on Canons.

That a resolution (suggesting the enumeration of all the baptized members of the Church, and also of the confirmed in each parish) be referred to the Committee on the state of the Church.

That a resolution of inquiry (on the expediency of omitting the words "Clerical and Lay" in the title of this House) be referred to the Committee on Canons.

That a resolution of inquiry (on the propriety of enacting a canon making it obligatory on new Dioceses to form their Standing Committees of an equal number of clergymen and laymen) be referred to the Committee on Canons.

That Messages Nos. 34 (amending section 111, Canon 5, Title 11.) 35 (communicating action of House of Bishops on resolutions accompanying report of Committee on Christian education) and 36, (non-concurring in Message of House of Deputies, No. 22, adding a section [VIII.] to Canon 5, Title 1.) be referred to the Committee on Canons.

That the House reconsider its vote concerning the number of Journals to be printed.

That the Secretary be instructed to have an adequate number printed to furnish two copies to every clergyman, &c.

That this House concur in the amendment proposed in Message of the House of Bishops No. 42, to the resolutions (concerning the Commission on Archives) originally communicated to the House of Bishops in Message House of Deputies No. 20.

That this House respectfully declines to unite in the letter sent to this House by the House of Bishops respecting the Oneida Indians.

That the resolutions accompanying the report of the Committee on the Prayer Book be adopted: (1. referring the subject of a Table of Proper Services for Lent to the same Committee on the Prayer Book; 11., referring certain proposed changes in the language of the Metrical Psalms and Hymns to the same committee; 111., referring a communication from the Rev. President of Columbia College, New York, to the same committee; IV., referring the inquiry as to the discrepancy between the punctuation of the Good Friday Epistle and that of the same passage in the Standard Bible, to the same committee).

That the Board of Trustees of the Fund for the Relief of Widows and Orphans of Deceased Clergymen and of Aged, Infirm and Disabled Clergymen be discharged. [Concurred in. *Vide* Message House of Bishops, No. 55.]

That the House concurs in Message of House of Bishops No. 41, concerning appointment of Joint Committee on Theological Education



[Committee, Bishops Whittingham and Williams, Rev. Drs. Haight and Hare, Messrs. Orlando Mead and Origin S. Seymour, L. L. D.]  
That a Committee of Conference be requested on this subject matter of Message of House of Bishops, No. 43.

That a resolution of inquiry (respecting the expediency of providing a Form of Thanksgiving for the recovery of a Child from illness) be referred to the Joint Committee on the Standard Prayer Book.

That a resolution of inquiry (as to the expediency of introducing the pointing of the Psalter for Chanting, as in the English Prayer Book) be referred to the same committee.

That certain resolutions offered on the 11th day of the session (touching the pointing of the Apostles' Creed, and the introduction of the word "Holy" into the Nicene Creed) be referred to the same committee.

That a resolution (proposing a Canon on the Consecration of Churches) be laid on the table.

That the preamble and resolution (concerning the use of liturgic forms, in their native tongue, other than those prescribed by the Prayer Book, by foreigners,) be referred to the Joint Committee on the Review of the Book of Common Prayer in German.

That a resolution of inquiry (as to the time and occasion of the omission of the word "Holy" in the Nicene Creed) be referred to the Committee on the Prayer Book.

That the Secretaries incorporate in all future messages a statement of the subject matter thereof.

That the Message of the House of Bishops, No. 35, be referred to the Committee on Christian Education.

That the House proceed to vote by Dioceses and orders on the proposed alterations of Article V. of the Constitution.

That the resolution reported by the Committee of Conference be adopted by the House as follows;

*Resolved*, that the alteration of the Constitution (together with the amendment of the Canons) recommended in the following resolution be proposed, and that the same be made known to the several Diocesan Conventions, in pursuance of Article IX. of the Constitution, viz:

*Resolved*, that Article V. of the Constitution be amended so as to read as follows:

A Protestant Episcopal Church in any of the United States, or any territory thereof, not now represented, may, at any time hereafter, be admitted on acceding to this Constitution; and a new Diocese, to be formed from one or more existing Dioceses, may be admitted under the following restrictions, viz:

No new Diocese shall be formed or erected within the limits of any other Diocese, nor shall any Diocese be formed by the junction of two or more Dioceses, or parts of Dioceses, unless with the consent of the Bishop and Convention of each of the Dioceses concerned, as well as of the General Convention, and such consent shall not be given by the General Convention until it has satisfactory assurance of a suitable provision for the support of the Episcopate in the contemplated new Diocese.

No such new Diocese shall be formed which shall contain less than six Parishes, nor less than six Presbyters, who have been for at least one year canonically resident within the bounds of such new Diocese, and qualified to vote for a Bishop.

Nor shall such new Diocese be formed if thereby any existing Diocese shall be reduced so as to contain less than twelve Parishes, or less than twelve Presbyters who have been residing therein and settled and qualified as above mentioned: Provided that no city shall form more than one Diocese.

In case one Diocese shall be divided into two or more Dioceses, the Diocesan of the Diocese divided may elect the one to which he will be attached; and shall thereupon become the Diocesan thereof, and the Assistant Bishop, if there be one, may elect the one to which he will be attached: and if it be not the one elected by the Bishop he shall be the Diocesan thereof.

Whenever the division of a Diocese into two or more Dioceses shall be ratified by the General Convention, each of the Dioceses shall be subject to the Constitution and Canons of the Diocese so divided, except as local circumstances may prevent, until the same may be altered in either Diocese by the Convention thereof. And whenever a Diocese shall be formed out of two or more existing Dioceses, the new Diocese shall be subject to the Constitution and Canons of that one of the said existing Dioceses to which the greater number of Clergymen shall have belonged prior to the erection of such new Diocese, until the same may be altered by the Convention of the new Diocese.

Concurred in. *Vide* Message House of Bishops No. 60.

That the Secretary be requested respectfully to inquire the reason of the oversight in Message House of Bishops No. 35 (in not communicating action with respect to the 1st resolution offered by the Committee on Christian Education.)

That this House concur in the Resolution submitted to this House in Message of the House of Bishops No. 32 (on the subject of Divorce) amended as follows, viz:

Canon 13, Title 11. On Marriage and Divorce.

No Minister of this Church shall solemnize marriage in any case where there is a divorced wife or husband of either party still living: but this Canon shall not be held to apply to the innocent party in a divorce, or to parties once divorced seeking to be united again.

Concurred in. *Vide* Message House of Bishops No. 67.

That the consideration of the Report of the Committee on Canons (on the conduct of Public Worship, &c.) be made the order of the day for Tuesday, Oct. 27.

That no new subject be entertained by this House after this day

That the Report of the Committee on Canons on the Conduct of Public Worship and the Report of a Minority of said Committee be printed under care of the Committee on Canons.

That the consideration of certain resolutions (providing for the spiritual wants of emigrants to Alaska, with a due regard to the rights and principles of the Russian Church) be postponed until to-morrow.

That the House adjourn.

That the Minutes be approved.

That the House does not concur in the resolution contained in Message No. 34 from the House of Bishops, (amending clause [2] of Section III. of Canon 5 of Title III.) "of Congregations in Foreign Lands."

That certain resolutions reported by the Committee on Canons be adopted (1st, that it is inexpedient to change the title of the House to "House of Deputies"; 2d, that it is inexpedient to grant the prayer of the memorialists asking for liturgic relaxation; 3d, that it is inexpedient to grant the prayer of the memorialists who ask an amendment of Section 6 of Canon 5 of Title 1.)

That a resolution (authorizing the use of "Hymns for Church and Home," and "Hymns, Ancient and Modern," with the Bishop's consent,) be adopted. Concurred in with amendments. *Vide* Message House of Bishops, No. 57. Amendments concurred in by House of Deputies. *Vide* Message House of Deputies, No. 7.

That it be referred to a Joint Committee to take into consideration the Psalms in Metre, with the Hymns, and to report to next Convention such alterations and additions as they may think expedient. Concurred in. *Vide* Message House of Bishops, No. 82. Committee announced—*vide* Message House of Bishops, No. 80—Bishops Clark, Redell, and Cox, Rev. Drs. Huntington and Howe, and Mr. Henry E. Pierrepont.

That the amendment to Section 1. of Canon 14 of Title 1. (proposed by the Committee on the state of the Church) be referred to the Committee on Canons.

That the Committee on the State of the Church be discharged from further consideration of a proposed requirement of the enumeration of the Baptised and Confirmed within the territorial limits of each parish.

That the House concur in the resolutions contained in Message No. 48 from the House of Bishops (1st, appointing a Joint Committee to prepare and report to the next General Convention a version of the Prayer Book in German; 2d, and one in French; 3d, and one in Swedish).

That this House concur in the resolution contained in Message No. 49 from the House of Bishops (authorizing the Joint Committee on the Standard Bible to proceed with the publication of the same as soon as funds are obtained).

That the resolutions accompanying the Report of the Russo-Greek Committee be adopted.

That the Rev. Dr. Fulton of Georgia be added to the said Committee in place of Bishop Young.

That the resolutions accompanying the report of the Committee on the Domestic and Foreign Missionary Society be adopted.

That so much of the report of said Missionary Society as relates to the Freedmen's Commission be referred to the Board of Missions for its consideration.

That this House concur in the resolution contained in Message No. 44 from the House of Bishops, appointing Joint Committee on Theological Education.

That the House concur in the Amendment proposed in Message No. 62 from the House of Bishops (announcing concurrence in the Message of the House of Deputies, No. 44, in relation to the insertion of a note in Standard Prayer Book respecting the alterations made in the plates thereof, with the amendment "that the alterations referred to be specified.")

That a resolution reported by the Committee on Canons on the use of Hymns be adopted. Concurred in with amendments. *Vide* Message House of Bishops No. 67.

That the Committee on Rubrical Discrepancies be continued and instructed to report to the Joint Committee on the Standard Prayer Book.

That a revised copy of the Digest of the Canons be prepared and published.

On motion, the House adjourned.

#### NINETEENTH DAY.

That the Minutes be approved.

That the House concur in resolution communicated in Message H. B., No. 47, (appointing committee on the part of the Bishops, to arrange for closing services).

That the House does not concur in the amendment of Section 1., Canon 10, Title 1., as proposed in Message H. B., No. 34, (concerning foreign clergymen).

That the Committee on Canons be discharged from further consideration of the question of making it imperative that standing committees of new dioceses should be composed of an equal number of clergymen and laymen.

That—the House of Bishops concurring—Section I. of Canon 14 of Title 1., be amended by inserting after the words "residence only," the words following, to wit: "and also, with particulars of time and place, of all ministers belonging to the Diocese, who have been ordained to the Deaconate or the Priesthood, or have been deposed, or have died, since the preceding General Convention." Concurred in, *vide* Mess. H. B., No. 75.

That the Rev. Dr. Geo. E. Hare and Mr. James Pott be appointed to fill vacancies in joint committee to examine proof-sheets of Standard Bible.

That the House proceed to the consideration of unfinished business of yesterday, (to wit, the motion to postpone indefinitely the amendment [being the resolutions accompanying the minority report on ritual, &c.] to the resolution accompanying the report of the Committee on Canons, on the conduct of public worship, &c.)

That the nomination of the Committee on Canons, of the Rev. Dr. Haight and Mr. H. Fish, LL. D., to certify changes in the canons made at this session, be confirmed.

That the whole matter referred to the Committee on Canons (being the inquiry as to the expediency of establishing Missionary Organizations



under Missionary Bishoprics within the limits of organized dioceses) be postponed until the next General Convention.

That this House concur in the Preamble and Resolution communicated to this House in Message H. B. No. 66, (concerning Alaska).

That this House concur in the Preamble and Resolutions communicated to this House on Message H. B. No. 68, (concerning death of the Metropolitan of Canada) and the resolutions communicated in Message H. B. No. 57, (amending resolutions communicated by H. D. in their Message No. 66, concerning use of Hymns) to wit:

Resolved, The House of Bishops concurring, that it be and is hereby declared lawful—until a revision and enlargement of the collection of Hymns now set forth for use in this Church shall have been made and duly authorized—that in any diocese, in addition to those already allowed, Hymns from the volume entitled "Hymns for Church and Home," or from that entitled "Hymns, Ancient and Modern," may be licensed for use by the Bishop of the same.

That Message H. B. No. 63, be referred to the Committee on Canons (communicating a new Canon on Consecration of Churches.)

That the resolution under consideration as amended be adopted to wit:

1. Resolved, That the House of Bishops be requested to set forth for consideration and adoption by the next General Convention such additional Rubrics in the Book of Common Prayer, as in their judgment may be deemed necessary.
2. Resolved, That meanwhile in all matters doubtful reference should be made to the ordinary and no charges should be made against the godly counsel and judgment of the Bishops.
3. Resolved, That copies of the reports of the majority and minority of the Committee on Canons be transmitted to the House of Bishops

That the Secretary be directed to procure a sufficient number of the verbatim report of the debates of this Convention to supply one copy to the Standing Committee of every diocese in this Church.

That the clergymen and laymen nominated to this House by the House of Bishops as members of the Board of Missions be elected thereto.

That the report of the Committee on unfinished Business be referred to the Committee on Canons.

That this House respectfully return to the House of Bishops the list of Trustees of the General Theological Seminary sent back by that House with information that it is impossible to submit a more correct list.

That the whole matter (the proposal for a Committee of Conference on the proposed amendment of Section V, Canon 13, Title I, non-concurred in by House of Bishops—concerning election of assistant Bishops) be laid on the table.

That the House adjourn.

#### TWENTIETH DAY.

That the minutes be approved.

That this House has heard with profound regret of the death of the Arch-Bishop of Canterbury, and communicates to the House of Bishops its desire to join with them in expressions of regard and respect for his memory.

That the action of the General Convention in regard to the death of the Arch-Bishop of Canterbury, be communicated at once by telegraph and by mail to the Bishop of London.

That the Canon on the Consecration of Churches (being that communicated to this House in Message H. B. No. 63,) be referred back to the Committee on Canons.

That an additional resolution on the same subject be referred to the same Committee.

That the House concur in resolution communicated in Message H. B. No. 77, (continuing Joint Committee on Friendly Interchange with the Church in Sweden.)

That the resolution communicated in Message H. B. No. 73, (concerning salary of Secretary of House of Bishops) be referred to the Committee on expenses.

That the thanks of this House be tendered to the President.

That the thanks of this House be tendered to the Secretaries and Treasurer.

That thanks be presented to Churchmen of New York and vicinity for generous hospitality.

That thanks are due to the Bishop of New York, and clergy and laity.

That this Convention acknowledges the obligations to the Rev. Dr. Ogilby.

That thanks be tendered to the Rector, Wardens, and Vestry of Trinity and Calvary Churches and the Church of the Transfiguration.

That when this House adjourn it adjourn to meet the House of Bishops to hear the Pastoral Letter and to join in closing services.

That the Secretary return thanks of this House to the several Railway and Steamboat Companies offering return tickets.

That the thanks of this House are tendered to the Hon. James Kelly for postal facilities.

That the thanks of this House are due to Mr. George Woodward for services in connection with the postal deliveries for this Convention.

That the action proposed in certain memorials from several dioceses (touching a new version of the Nicene Creed) is inexpedient at this time.

That ten copies of the Journal of the Proceedings of this Convention be placed in the hands of the Russo-Greek Committee.

That the President of the House sign this telegram to be transmitted to the Bishop of London on the death of the Arch-Bishop of Canterbury, and that the Secretary be authorized to forward the same.

That a resolution (proposing suspension of the rule forbidding the introduction of new matter) be laid on the table.

That the Canon on the Consecration of Churches reported by the Committee on Canons with amendment be adopted to wit:

**TITLE I. CANON —. Of the Consecration of Churches.**

- §1. No Church or Chapel shall be consecrated until the Bishop shall have been sufficiently certified that the building and ground on which it is erected, have been fully paid for, and are free from lien or other incumbrance.
- §2. It shall not be lawful for any Vestry, Trustees, or other body, authorized by law of any State or Territory to hold property for any Diocese, Parish or Congregation, to encumber or alienate any consecrated Church or Chapel without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee of the diocese in which such Church or Chapel be situated. Provided, that this Section shall not be operative in any State with the laws of which relating to the taking and holding of property by religious corporations, the same may conflict.
- §3. No consecrated Church or Chapel shall be removed, taken down, or otherwise disposed of for any "unhallowed, worldly or common use" without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese in which said Church or Chapel may be situated. Concurred in *vide* Message H. B. No. 78.

That a resolution reported by the Committee on Canons as amended (to wit: That the House of Bishops concurring, in the judgment of this Convention it is improper to sell or lease any pew or seat in any consecrated Church or Chapel by public sale held within the walls of such Church or Chapel and that the same be published with the Digest) be adopted. By oversight not communicated to the House of Bishops.

That a communication from the Rev. President of Columbia College be referred to the Committee on the Standard Prayer Book.

That the Secretary furnish bound copies of the Journal to members of this House on their payment of the cost of binding.

That the address of the President be entered on the minutes.

That this House concur in resolution communicated in Message H. B. No. 81, (authorizing purchase of sets of Journals.)

That this House concur in resolution communicated in Message H. B. No. 79, (concerning preparation of Digest of Resolutions.)

That a committee wait on the House of Bishops and inform them that this House has completed its business.

That this House take a recess till 3 p. m.

That the Rev. Dr. Wm. Cooper Mead be appointed temporary Chairman.

That the name and title of the "Freedmen's Commission" be changed to "Home Missionary Commission for Colored People."

That this House proceed to the election of a Missionary Bishop of Arizona and Nevada on the nomination made by the House of Bishops.

That the House unite in singing the *Gloria in Excelsis Deo*.

That the House proceed to sign the testimonials of the Missionary Bishop elect.

That the Rev. Dr. Paddock and Mr. Lucius B. Otis be appointed members on the part of this House on the Joint Committee on Friendly Relations with the Swedish Church.

That this House continue in session till its business shall be concluded.

That the Secretary transmit the testimonial of the Missionary Bishop elect to the House of Bishops.

That the House adjourn





## INDEX.

## SPEAKERS.

- Adams, D. D., Rev. W. 6, 9, 13, 23, 26, 31, 32, 41, 57,  
73, 85, 91, 94, 101, 104, 106, 114, 124, 135, 154,  
163, 193, 195, 197, 198, 203, 205, 206
- Adams, Rev. W. F. 109
- Andrews, D. D., Rev. C. W. 49, 50, 51, 73, 87, 90, 104,  
138, 151, 163, 175.
- Banister, Rev. J. M. 151
- Barbour, Mr. B. Johnson 95, 96
- Battle, Mr. W. H. 12, 16, 33, 43, 62, 73, 74, 92, 112,  
125, 126, 130, 133, 134, 146, 146, 151, 155
- Beardsley, D. D., Rev. E. E. 130, 134, 202
- Beers, Rev. H. W. 68, 69, 110
- Benedict, Rev. Samuel 33
- Breck, Rev. Charles 22, 93, 97, 131, 137, 171, 208
- Burr, D. D., Rev. E. 171
- Cass, Mr. G. W. 91
- Churchill, Mr. 62, 69, 113, 144
- Clark, D. D., Rev. J. L. 89
- Clark, Rev. W. H. 29, 138, 145
- Clements, Rev. S. 89
- Comstock, Mr. G. F. 61, 84, 139, 155
- Conyngham, Judge 8, 21, 23, 69, 72, 81, 87, 93, 94, 152,  
167, 168, 169
- Corbett, Rev. S. 78, 131, 158
- Cornwall, Mr. Wm. 25, 26, 27, 114, 153, 180, 181, 194,
- Craik, D. D., Rev. James (opening address) 4, 84, 85,  
94, 95, 96, 108, 125, 131, 138, 146, 148, 152, 159,  
167, 193, 195, 198,—(closing address) 205
- Crane, D. D., Rev. S. A. 25, 26, 112, 113, 130, 131
- Dashiell, Rev. E. F. 102, 180
- DeKoven, D. D., Rev. James 146, 147, 174, 191, 207
- Delano, Mr. Columbus 69
- DeMill, Rev. P. E. 132
- Doe, Mr. J. B. 91
- Fairbanks, Mr. G. R. 7, 9, 54, 179
- Farnsworth, Mr. C. B. 145
- Fish, Mr. Hamilton 12, 13, 48, 69, 129, 132, 148, 202,  
207
- Fogg, Mr. Francis B. 128
- Gadsden, Rev. C. P. 75, 77, 86, 91, 100, 164, 185
- Gasmann, Rev. J. G. 61, 79
- Goodwin, D. D., Rev. D. R. 8, 14, 17, 25, 33, 35, 36, 37,  
62, 76, 83, 84, 85, 86, 93, 97, 108, 113, 128, 136,  
140, 144, 152, 155, 158, 161, 162, 166, 175, 188,  
195, 206
- Gordon, Mr. G. A. 30, 51, 52, 53
- Gray, Rev. W. C. 100
- Haight, D. D. Rev. B. I. 8, 20, 27, 31, 45, 58, 63, 64,  
65, 69, 74, 76, 82, 83, 85, 87, 90, 91, 94, 95, 99, 100,  
101, 116, 117, 124, 129, 135, 143, 144, 153, 154,  
161, 164, 170, 171, 193, 196, 198, 199, 200, 206, 208
- Hallam, D. D., Rev. R. A. 69
- Hanckel, Rev. J. S. 45, 139, 190
- Hanson, Rev. F. R. 208
- Hare, D. D., Rev. G. E. 77, 83, 93, 99, 116, 117, 120  
133, 165, 181, 200, 202, 204, 207
- Harrold, Rev. J. A. 157
- Henshaw, Rev. Daniel 200, 203
- Hodges, D. D., Rev. J. S. B. 74, 199
- Houghton, Mr. Geo. F. 132
- Howe, D. D., Rev. M. A. DeW. 10, 19, 30, 46, 60, 75,  
76, 93, 95, 97, 102, 112, 116, 126, 127, 131, 158,  
160, 165, 193, 196, 197, 198, 199, 204
- Hubbard, D. D., Rev. I. G. 132, 152, 204
- Huntington, D. D., Rev. F. D. 136, 177, 178
- James, Rev. G. N. 103, 187
- Johnson, Mr. Wm. Samuel 130, 142, 150
- Labagh, Rev. J. P. 141, 155, 183, 196, 204
- Lacey, Mr. Geo. S. 100, 131
- Lawson, Rev. T. B. 104
- Littlejohn, D. D., Rev. A. N. 6, 11, 34, 44, 68, 91, 94,  
103, 106, 115, 161, 192, 193, 206
- Mahan, D. D., Rev. Milo 25, 42, 62, 94, 97, 99, 100, 105  
120, 125, 130, 135, 141, 151, 156, 166, 189, 193  
204, 205
- Marple, Rev. A. A. 73, 79, 114, 143, 144
- Martin, Rev. T. M. 129, 143
- Mason, D. D., Rev. R. S. 70, 71, 92, 103, 122, 145, 165, 170
- Massie, Mr. N. H. 134
- McMasters, D. D., Rev. S. Y. 60
- McCrary, Mr. E. 61, 69, 120, 140, 141, 166, 172, 198,
- Mead, D. D., Rev. William Cooper 8, 10, 25, 28, 45, 55,  
74, 80, 90, 95, 105, 110, 125, 129, 138, 146, 152,  
161, 193, 196, 197, 200, 202, 203, 204, 205, 206,  
207
- Meads, Mr. Orlando 132
- Meigs, Jr., Mr. Henry 92, 94
- Moore, Rev. J. 152
- Mulchahey, D. D., Rev. J. 59, 92, 95, 98, 116, 118, 128,  
129, 175,
- Newton, Rev. William 102
- Norton, D. D., Rev. G. H. 26, 31, 41, 42, 84, 85, 91,  
104
- Otis, Mr. L. B. 11, 17, 29, 43, 73, 83, 90, 146, 195
- Paddock, D. D., Rev. B. H. 53, 161, 164, 182, 193, 204
- Parker, D. D., Rev. S. P. 81
- Parsons, Mr. C. C. 8, 42
- Perkins, Rev. E. T. 74, 90, 137, 188
- Peterkin, D. D., Rev. J. 11, 88, 113, 150, 158, 165
- Pierce, D. D., Rev. H. N. 106, 127, 129, 153, 158, 162,  
195
- Pinkney, D. D., Rev. C. C. 176
- Pinkney, D. D., Rev. Wm. 180
- Pitkin, D. D., Rev. T. C. 10, 16, 105, 163
- Richardson, Rev. W. R. 103
- Rogers, Rev. B. 46, 47, 48, 74, 76, 82, 92, 127, 166, 198
- Ruggles, Mr. S. B. 8, 10, 17, 28, 29, 38, 39, 56, 72, 98,  
99, 105, 112, 116, 119, 132, 133, 137, 142, 144,  
146, 150, 152, 165, 169, 181, 184, 193, 196, 206,  
207
- Rylance, D. D., Rev. J. H. 85, 86, 95, 96, 97, 100, 106,  
133, 136, 137
- Shattuck, M. D., Mr. G. C. 55, 58, 77, 96, 97, 185
- Sheffey, Mr. H. W. 82, 84, 92, 94, 95, 111
- Shelton, D. D., Rev. Wm. 73, 74, 79, 99, 206
- Smith, Mr. J. J. Pringle, 131, 144, 146, 156
- Spaulding, Rev. J. F. 180
- Stevenson, Mr. J. W. 12, 91, 127
- Stringfellow, Jr., Rev. H. 181
- Stubbs, D. D., Rev. Alfred 34, 76, 82, 83, 96, 102, 105,  
134, 138, 146, 149, 174
- Taylor, Mr. Tazewell 71, 92, 94, 112, 123, 137, 138
- Todd, Mr. 71
- Trowbridge, Mr. C. C. 81
- Tustin, D. D., Rev. J. P. 111
- Van Deusen, D. D., Rev. E. M. 94, 183, 193, 205, 206
- Watson, D. D., Rev. A. A. 69, 194
- Welsh, Mr. Wm. 11, 25, 44, 58, 72, 73, 79, 93, 132, 135,  
139, 145, 146, 148, 152, 162, 165, 186, 199, 201,  
202
- Wheat, D. D., Rev. J. T. 80, 99
- White, Rev. William 203
- Wilder, Mr. E. T. 18
- Williams, Rev. Wm. C. 180, 194
- Wyatt, Rev. C. B. 93, 139, 177, 187

## SUBJECTS.

Alaska, - - - - -	161	Obituary—Archbishop of Canterbury - - -	199
Bishops—Assistant 72, 73, 74, 92, 94, 197, 198, 199		Officiating—Persons not Ministers 25, 26, 27, 112, 113, 114, 130, 131	
Bishops—Divine Authority of - - - - -	33, 34	Oneida Indians - - - - -	146, 153
Bishops—Increasing the number of 45, 46, 47, 50, 51		Pastoral Letter, - - - - -	209, 212
Board of Missions - - - - -	115	Prayers—Occasional - - - - -	82, 83
Changes—In Prayer Book - - - - -	71, 112, 152	"Presiding Bishop of this Church" - - - - -	57
Churches—Consecration of 92, 104, 129, 130, 133, 134, 135, 200		Provincial Council—Memorials for - - - - -	7
Church Unity - - - - -	105	Provincial System - - - - -	95, 98, 99, 116, 129
Clergymen—From other bodies - - - - -	105	Resolutions—Force of - - - - -	138, 140
Clerical Support - - - - -	95, 96, 97, 115	Ritual - - - - -	167, 197
Committees—List of Standing - - - - -	5, 6	Ritualism - - - - -	23
Constitution—Article V - - - - -	6	Ritualism—Majority Report - - - - -	159
Convention—In Consecrated Churches - - - - -	132, 133	Ritualism—Minority Report - - - - -	160
"Council"—Instead of "Convention" 10, 29, 32, 33, 35, 38, 39, 40, 41, 43, 44		Schools—Church - - - - -	68
Creed—Nicene - - - - -	72, 106, 129, 154	Selling—Pews - - - - -	202
Debates—Churchman's report of - - - - -	131, 197	Sermon—Bishop of Delaware, Resolution to print - - - - -	7
Deputies—Decreasing number of - - - - -	56	Services—Opening - - - - -	4
Dioceses—Formation of new - - - - -	45, 48-55, 58-65	Services—Closing - - - - -	209
Divine Worship—Conduct of - - - - -	21	SESSIONS.—First Day - - - - -	4
Divorce - - - - -	104-137, 144 155, 156,	Second Day, - - - - -	5
Education—Christian - - - - -	106-112	Third Day, - - - - -	10
Federate Council - - - - -	7, 30, 31, 116-129	Fourth Day, - - - - -	18
Holy Orders—Examinations for - - - - -	75, 77, 81	Fifth Day, - - - - -	21
House of Bishops - - - - -	115	Sixth Day, - - - - -	24
Hymnody - - - - -	104, 162, 166	Seventh Day, - - - - -	33
Intrusion—Clerical - - - - -	69, 83-92, 100-104	Eighth Day, - - - - -	44
Italian Reform Movement - - - - -	105, 135, 136, 137	Ninth Day, - - - - -	55
Lay Readers - - - - -	27, 113, 134	Tenth Day, - - - - -	66
Lessons for Lent - - - - -	99	Eleventh Day, - - - - -	70
Liturgies—In foreign languages - - - - -	131, 153	Twelfth Day, - - - - -	75
Members—List of - - - - -	3, 4	Thirteenth Day, - - - - -	92
Memorials—Presentation of - - - - -	7	Fourteenth Day, - - - - -	99
Ministers—Officiating - - - - -	99, 100	Fifteenth Day, - - - - -	114
Morris, Rev. B. W. Elected Bishop, - - - - -	93, 94	Sixteenth Day, - - - - -	131
Music—In Convention - - - - -	132	Seventeenth Day, - - - - -	145
Music—In Services at Trinity Chapel - - - - -	20	Eighteenth Day, - - - - -	162
Nebraska—Petitions to be admitted - - - - -	6	Nineteenth Day, - - - - -	181
Admitted - - - - -	10	Twentieth Day, - - - - -	199
Nevada—Bishop of - - - - -	205, 209	Shorter Services, - - - - -	157
Obituary Resolutions - - - - -	9	Standard Bible, - - - - -	131
		Trial of Ministers, - - - - -	135, 143, 144, 145
		Western New York—Division of Diocese of - - - - -	28















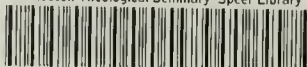








BX5820 .A2 1868  
The debates of the House of clerical and  
Princeton Theological Seminary-Speer Library



1 1012 00047 1328